

WEST TEXAS OPPORTUNITIES, INC.

**Internal Ethics and Compliance
Program
(2017)**



WTO, Internal Ethics and Compliance Program

- General Policy Statement
- Record Retention
- Fraud
- Equal Opportunity Employment
- Sexual Harassment and Sexual Misconduct
- Conflict of Interest
- Personal Use of Organization's Property
- Gifts and Honoraria
- Whistleblower Policy



WTO,I Internal Ethics and Compliance Program

General Statement

This policy prescribes the standards of ethical conduct for all employees of WTO,I. All employees must familiarize themselves with the policy and must abide by applicable federal and state laws, administrative rules and the ethics policy.



WTO,I Internal Ethics and Compliance Program

General Statement

An employee who violates any provision of this conduct policy is subject to disciplinary actions up to and including termination. An employee who violates any applicable federal or state law or rule may be subject to civil or criminal penalties in addition to any disciplinary action taken by WTO,I.



WTO, I Internal Ethics and Compliance Program

General Statement

All employees shall perform their official duties in a lawful, professional and ethical manner; practice responsible stewardship of organizational resources; and report any conduct or activity that they believe to be in violation of this policy.



WTO,I Internal Ethics and Compliance Program

General Statement

Employees shall not knowingly make false or misleading statements, oral or written, in the course of the conducting of the organization's business. Employees shall not disclose confidential or sensitive organizational business information without prior written authorization.



WTO, I Internal Ethics and Compliance Program

Examples:

Falsifying a time sheet or travel reimbursement,
a Bookkeeper or Outreach Worker revealing a client's name, circumstance or amount of assistance provided, or discussing someone's salary other than your own with a co-worker or someone outside the agency



WTO,I Internal Ethics and Compliance Program

General Statement

The WTO,I Executive Director will be responsible for monitoring compliance within the organization and taking appropriate action in response to compliance related complaints. The Executive Director is also responsible for the oversight of financial reports and establishing and maintaining an adequate internal control structure with appropriate checks and balances.



WTO,I Internal Ethics and Compliance Program

General Statement

The WTO,I Code of Ethics is included in the WTO,I Policies and Procedures Manual. This policy is discussed during the New Employee Orientation and each new employee is required to read, sign and date the form during the orientation meeting.



WTO,I Internal Ethics and Compliance Program

I. Record Retention

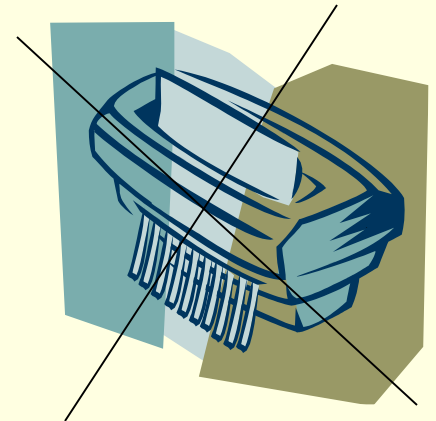
WTO,I is committed to proper maintenance and retention of records. Falsifying records, deliberately concealing records, destroying records in bad faith, exploiting confidential information, or otherwise mishandling records is not acceptable.



WTO,I Internal Ethics and Compliance Program

I. Record Retention

When a lawsuit is filed or is reasonably anticipated to be filed against WTO,I, or when an internal or governmental investigation is initiated, WTO,I staff must ensure that all information potentially relevant to the suit or investigation is preserved.



WTO,I Internal Ethics and Compliance Program

I. Record Retention

WTO,I employees may not alter, conceal, or in any way destroy information relevant to a suit or investigation. Employees must take steps to ensure potentially relevant information is not inadvertently destroyed pursuant to document retention schedules or by routine computer operations or common computer settings, such as the automated deletion of e-mails.



WTO,I Internal Ethics and Compliance Program

I. Record Retention

WTO,I has guidance for retention and destruction of files as well as guidance for Personnel File Maintenance. These forms and procedures can be found in the WTO,I Forms Manual and the WTO,I Policies and Procedures Manual.



WTO, Internal Ethics and Compliance Program

PLEASE REMEMBER

You must request permission to destroy files utilizing the “Request to Destroy” form located in the Personnel Forms Manual

Take caution to maintain confidentiality of files!



WTO,I Internal Ethics and Compliance Program

II. Fraud

Fraud includes any type of intentional deception for the purpose of personal or business gain or damage to an individual or organization.

For example: Lying on an employee application, falsifying records or providing false receipts requesting reimbursement from WTO,I.



WTO, I Internal Ethics and Compliance Program

II. Fraud

Employees are expected to:

- be good stewards of resources entrusted to them,
- to exercise due diligence to prevent and detect criminal conduct and noncompliance with laws & policies, and



WTO, I Internal Ethics and Compliance Program

II. Fraud

Employees are expected to:

- report suspected fraud, waste, abuse or non-compliance to the appropriate supervisor or manager.

Engaging in acts of fraud may result in civil or criminal liability.



WTO,I Internal Ethics and Compliance Program

II. Fraud

The WTO,I Policies and Procedures Manual includes documents that address:

- Specific Grounds for Dismissal and/or Termination
- Policy Against Fraud and Abuse
- Conflict of Interest of Board Members



WTO,I Internal Ethics and Compliance Program

III. Equal Opportunity Employment

WTO,I is an equal opportunity employer. It is the policy of WTO,I to promote and ensure equal employment opportunity for all persons regardless of race, gender, color, religion, national origin, sex, ancestry, creed, age, medical condition, disability, genetic information, veteran status, citizenship status, marital status, sexual preference, or any other basis prohibited by state, federal or local law.



WTO,I Internal Ethics and Compliance Program

III. Equal Opportunity Employment

*Discrimination has no place at WTO,I and will
not be tolerated.*



WTO,I Internal Ethics and Compliance Program

III. Equal Opportunity Employment

The WTO,I Policies and Procedures Manual explains the Non-Discrimination Policy within the Personnel Policy. All new employees are provided a copy of the Personnel Policy.



WTO,I Internal Ethics and Compliance Program

III. Equal Opportunity Employment

The WTO,I Policies and Procedures Manual explains the Non-Discrimination Policy within the By-Laws. All new WTO,I Board Members are provided a copy of the By-Laws and are discussed in the annual Board Member training.



WTO,I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

WTO,I does not tolerate any form of sexual harassment in the workplace.

Sexual misconduct includes behavior that is short of sexual harassment, but nonetheless is unprofessional and inappropriate. Sexual misconduct is not permitted.



WTO,I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

All WTO,I employees must treat one another and the general public with professionalism, respect, and fairness. Employees must display courtesy and restraint at all times on the job and whenever they may be perceived in any way as representing WTO,I.



WTO, I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

Supervisors or managers who receive reports of sexual harassment or sexual misconduct must report the complaint to the Executive Director or the Human Resources Director.



WTO, I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

Supervisors and managers must keep accurate records of complaints and are responsible for taking appropriate action that actually stops the harassment or misconduct. Ignoring a report of sexual harassment or sexual misconduct is unacceptable.



WTO,I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

The WTO,I Policies and Procedures Manual contains the WTO,I Sexual Harassment Policy as well as instructions for handling a complaint. The False Reporting Policy is also included in the WTO,I Policies and Procedures Manual.



WTO, I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

Employees are encouraged to report sexual harassment or sexual misconduct to the appropriate supervisor or manager. If the subject of the complaint is the employee's supervisor, the report should be filed to the next higher level or the Executive Director.



WTO, I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

Employees who report sexual harassment are protected against retaliation by state and federal laws.



WTO,I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

All new employees are provided guidance on the WTO,I Sexual Harassment Policy during New Employee Orientation. This policy is located in the Personnel Policy. All new employees sign an acknowledgement for receiving and reading the Personnel Policy.



WTO, I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

All new supervisors are required to attend Sexual Harassment training that is held each year. Tenured supervisors are expected to attend a refresher course every two-three years.



WTO,I Internal Ethics and Compliance Program

IV. Sexual Harassment & Sexual Misconduct

A copy of this policy is posted in all WTO,I locations. It applies to all WTO,I employees, Board members, contractors providing work for WTO,I, clients and visitors.



WTO, I Internal Ethics and Compliance Program

V. Conflict of Interest

A Conflict of Interest is a situation in which an employee's private interest (usually financial or economic) conflicts with or raises a reasonable question of conflict with their job-related duties and responsibilities. If an employee violates a conflict of interest law, they may face civil and/or criminal charges resulting in monetary fines or jail time.



WTO,I Internal Ethics and Compliance Program

V. Conflict of Interest

Employees shall not:

1. Engage in any activity that would create a conflict of interest or even the appearance of a conflict.
2. Make a personal investment in any enterprise that would create a substantial conflict between the employee's private interest and WTO,I.



WTO,I Internal Ethics and Compliance Program

V. Conflict of Interest

Employees shall not:

3. Engage in outside business or professional activities or accept employment if the activities create a conflict of interest between the employee's private interests and WTO,I; use or appear to use information obtained in connection with the employee's duties for WTO,I, or which could be expected to impair the employee's independence of judgment in the performance of their duties for WTO,I.



WTO,I Internal Ethics and Compliance Program

V. Conflict of Interest - Board

Members of the WTO,I Board of Directors shall not be employed, nor shall members of their immediate family be employed by WTO,I or any delegate agency of WTO,I.

Immediate family is defined as a child, spouse, parent, sibling or grandparent. Spouse shall include husband, wife or other relationships as recognized by the State of Texas.



WTO,I Internal Ethics and Compliance Program

At one time, policy DID permit relatives of Board Members to be employed by WTO,I.

The Policy changed in 2009.



WTO, I Internal Ethics and Compliance Program

V. Conflict of Interest - Board

No Board member may participate in the selection, award or administration of a subcontract supported by state or federal funds if: (1) the Board member, (2) any member of his/her immediate family (as defined in the state or federal contract), (3) the Board member's partner or (4) any organization which employs or is about to employ any of the above, has a financial interest in the firm or person selected to perform the subcontract.



WTO,I Internal Ethics and Compliance Program

V. Conflict of Interest - Board

No employee of WTO,I or of a state or federal agency with which WTO,I contracts may serve on the Board.



WTO, Internal Ethics and Compliance Program

Example:

We have a sub-contract with TXDOT. No employee of TXDOT is allowed to serve on our Board.



WTO,I Internal Ethics and Compliance Program

V. Conflict of Interest - Staff

WTO,I Transportation employees, supervisors of Transportation employees or employees who perform work for the Transportation Program are required to notify the Transportation Director or Executive Director if they have a relative who works for TxDOT. The Executive Director must then notify TxDOT as instructed in the 5311 contract, Article 6. Nepotism Disclosure.



WTO, I Internal Ethics and Compliance Program

V. Conflict of Interest - Staff

For this TxDOT requirement, “relative” is defined as:

- a. great grandparent, grandparent, parent, aunt or uncle, sibling, niece or nephew, spouse, child, grandchild or great grandchild, or
- b. the grandparent, parent, sibling, child, or grandchild of the employee’s spouse.



WTO,I Internal Ethics and Compliance Program

V. Conflict of Interest

Conflict of Interest is addressed in the WTO,I Personnel Policies.

Conflict of Interest is also addressed in the WTO,I By-Laws as it relates to Board members. A copy of the By-Laws is included in the Policies and Procedures Manual.



WTO,I Internal Ethics and Compliance Program

VI. Personal Use of Organization's Property

Property owned or leased by or provided to WTO,I may only be used for official purposes. Any misuse or unauthorized use of the organization's property, including information system resources, is subject to disciplinary action. Misuse of official property may also result in criminal prosecution.



WTO, Internal Ethics and Compliance Program

Examples:

Participating in chat rooms, social pages, unauthorized screen savers and other foreign software;

Taking the agency vehicle to run personal errands;

Printing a shower invitation on agency copier without obtaining permission and paying the published rate for the copies.



WTO,I Internal Ethics and Compliance Program

VI. Personal Use of Organization's Property

During New Employee Orientation, employees are required to read and sign for receiving a copy of the Personnel Policy which contains the WTO,I Policy on Use of Electronics Systems and Cell Phone Policy.



WTO, I Internal Ethics and Compliance Program

VI. Personal Use of Organization's Property

Employees who drive agency vehicles and/or who are issued other agency equipment are also required to sign a statement that they understand the rules regarding use of the equipment.



WTO,I Internal Ethics and Compliance Program

VI. Personal Use of Organization's Property

The WTO,I Policies and Procedures Manual includes the Policy on Use of Agency Property.



WTO, I Internal Ethics and Compliance Program

Example:

Using agency supplies (pens, pads, paper, etc) for personal use;

Ordering more or unnecessary supplies than are needed for your office or department



WTO,I Internal Ethics and Compliance Program

VII. Gifts and Honoraria

Employees of WTO,I are prohibited from accepting gifts, monies and other gratuities from persons receiving benefits or services under contract or otherwise in a position to benefit from an employee action.



WTO, I Internal Ethics and Compliance Program

Examples:

Driver accepting tips from clients or allowing them to buy their lunch;
Taking money from a client for ANY reason is prohibited.



WTO, Internal Ethics and Compliance Program

Accepting a small homemade, inexpensive gift from a Client is fine, but should not be encouraged. Gifts of food should be placed in the break room for all employees at your site. This lessens the appearance of the gift being perceived as a gratuity in exchange for service.



WTO,I Internal Ethics and Compliance Program

VII. Gifts and Honoraria

This policy can be found in the Policies and Procedures Manual, Personnel Policy.



WTO,I Internal Ethics and Compliance Program

VIII. Whistleblower Policy

WTO,I requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.



WTO,I Internal Ethics and Compliance Program

VIII. Whistleblower Policy

As employees and representatives of WTO,I, directors, officers and employees must practice honesty and integrity in fulfilling their responsibilities and complying with all applicable laws and regulations.



WTO, I Internal Ethics and Compliance Program

VIII. Whistleblower Policy

It is the responsibility of directors, officers and employees to report ethics violations or suspected violations in accordance with the Whistleblower Policy.



WTO, I Internal Ethics and Compliance Program

VIII. Whistleblower Policy

No director, officer or employee who in good faith reports an ethics violation 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.



WTO,I Internal Ethics and Compliance Program

VIII. Whistleblower Policy

The WTO,I Whistleblower Policy is included in the WTO,I Policies and Procedures Manual.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Oversight Responsibility

The Executive Director will be responsible for monitoring compliance within WTO,I and taking appropriate action in response to compliance related complaints.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Criminal Background Checks

Background checks will be conducted on all new employees and will be conducted annually on all current West Texas Opportunities, Inc. employees.



WTO, Internal Ethics and Compliance Program

Checklist Requirements

√ Training Procedures

Employees will be required to complete Internal Ethics and Compliance training annually and will sign a statement acknowledging that they understand the policies and procedures.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Training Procedures

In addition to the Ethics Compliance Manual, training slides will be available on the WTO,I website for employees who are unable to attend the formal trainings.

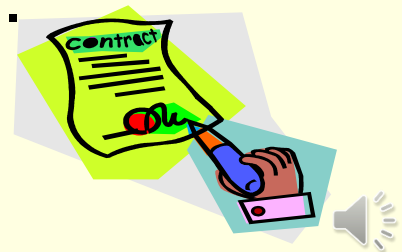


WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Board Training

The Ethics Compliance training will be provided to the WTO,I Board of Directors annually. Board members will be asked to sign a statement acknowledging that they have received the training and that they understand their liabilities and responsibilities regarding ethics compliance by employees and Board members.

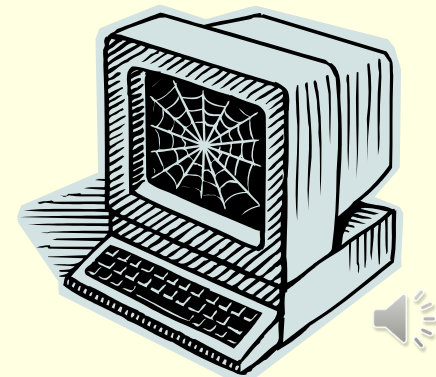


WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Compliance Standards and Procedures Communicated to Agents

West Texas Opportunities, Inc. will notify all agents of WTO,I of the compliance policy by providing written materials and by posting our policy on our website.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Compliance Monitoring

Employees are required to report suspicions or noncompliance with WTO,I ethics policies, laws or unethical behavior. The chain of command should be followed when possible, i.e., employees should report the suspicion or incidents to their supervisor.



WTO, I Internal Ethics and Compliance Program

Checklist Requirements

√ Compliance Monitoring

If the supervisor is the offender, report to the Executive Director. If the Executive Director is the offender, report to another supervisor.

Board members should report suspicions or noncompliance to the Board President.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Consistent Enforcement of Compliance Standards/Disciplinary Procedures

Disciplinary action is outlined in the WTO,I Personnel Policy, as well as appeal procedures and examples of grounds for dismissal or termination.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Detecting Offenses and Preventing Future Offenses

WTO,I will continue to increase ethics awareness through consistent, on-going training to employees. We will continue to enforce all WTO,I policies to discourage criminal misconduct within the agency.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Detecting Offenses and Preventing Future Offenses

WTO,I will enforce appropriate, consistent disciplinary measures when employees violate the ethics policy.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Written Employee Code of Conduct

WTO,I has developed a Code of Conduct that includes all of the required elements. A training plan is in place with responsibilities for enforcement at all levels appropriately assigned.



WTO,I Internal Ethics and Compliance Program

Checklist Requirements

√ Written Employee Code of Conduct

WTO,I will enforce appropriate, consistent disciplinary measures when employees violate the ethics policy.



WTO, Internal Ethics and Compliance Program

Please sign the acknowledgement form indicating that you have received the Internal Ethics and Compliance Program training.

Thank you!

