

# Buffalo County Community Partners

## Volunteer, Contractor & Employee Annual Affirmation & Disclosure Statement

### A. Volunteer, Contractor and Staff Responsibility

As a volunteer, contractor or employee of the Buffalo County Community Partners (Partners) you have accepted the responsibility of Board governance, Board appointed committee administration, Collaborative/Coalition governance, project implementation or as an employee. Review this policy and verify that you have read and understand your role in this partnership by signing and returning this form to the Executive Director of Buffalo County Community Partners, PO Box 1466, Kearney, NE 68848.

This policy affirmation will outline the following policies for your review; principles of the Code of Conduct, Conflict of Interest, Confidentiality, Shared Intellectual Property, Whistleblower, Grievance, and Non-discrimination policies.

### B. Annual Affirmation

Buffalo County Community Partners (Partners) is committed to ensure that its business is conducted, in all respects and all the times, according to rigorous ethical, professional and legal standards. Partners is also committed to facilitate collaboration within the workplace and at all of its meeting locations, while ensuring there is freedom from harassment and discrimination, where employees, contractors and volunteers are respected, and provided an appropriate environment so as to encourage collaborative conversations and professional conduct.

### C. Code of Conduct

As a volunteer, contractor and/or employee, I realize that I am subject to a code of conduct to uphold the mission of Buffalo County Community Partners to assess, promote, and strengthen the health of Buffalo County residents. In so doing, I agree to abide to the following principles:

- adhere to this Policy in professional as well as personal conduct
- treat each other with respect, courtesy, compassion, honesty and fairness
- respect different values, beliefs, cultures and religions
- value the contribution of the people I work with, and work co-operatively
- commitment to openly welcome, meaningfully engage, and fully incorporate both traditional and unique voices in our operational culture, values, norms, and behaviors, including external interactions
- acknowledge trauma present within affected populations and take action to assure policies and practices employed promote healing and minimize any further trauma
- regularly check our own perceptions and attitudes and offer employees, contractors and volunteers learning opportunities at least annually
- maintain our practices of data driven decision-making and facilitating best practice in each community

I promise to uphold these codes of conduct principles in my work as a volunteer, contractor or employee of Buffalo County Community Partners. I will make every effort to best serve the organization for which I volunteer, contract or work.

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### D. Annual Disclosure

In addition, I agree to annually disclose (1) my affiliations with any organizations with which Partners may have a financial relationship, and (2) persons with whom I have a close relationship (such as a family member or close companion) who are affiliated with any organization with which Partners may have a financial relationship.

Please sign this Statement indicating your affirmation as described above. Please disclose, in addition, applicable affiliations known to you. Return this signed Statement to the Executive Director of Buffalo County Community Partners

### E. Shared Intellectual Property

To further uphold the mission of Buffalo County Community Partners to assess, promote and strengthen the health of Buffalo County, board members, contractors, employees and volunteers representing institutions are asked to share intellectual property or data to better understand community needs, barriers, challenges, assets and strengths. By signing this statement, you make a commitment to collect, report and assemble data as a part of a community wide assessment process to define community need and report progress toward community strategies. You volunteer, work and contracted to collaborate to share intellectual property for the benefit of the community at large.

### F. Conflict of Interest Policy

#### I. Purpose

Partners encourages the active involvement of its directors, officers, volunteers, contractors and employees in the community. In order to deal openly and fairly with actual and potential conflicts of interest that may arise as a consequence of this involvement, Partners adopts the following Conflict of Interest Policy.

#### II. Policy

Directors, officers, volunteers, contractors and employees are expected to use good judgment, to adhere to high ethical standards, and to conduct their affairs in such a manner as to avoid any actual or potential conflict between the personal interests of a director, officer, volunteer, contractor or employee and those of Partners. A conflict of interest exists when the loyalties or actions of a director, officer, volunteer, contractor or employee are divided between the interests of Partners and the interest of the director, officer, volunteer, contractor or employee. Both the face and the appearance of a conflict of interest should be avoided.

#### III. Definitions.

Affiliated, affiliation includes all direct and indirect financial interests between a director, officer, volunteer, contractor or employee and a person with whom Partners is considering entering into any transaction. It also includes any other interest that may influence the judgment of a director, officer, volunteer, contractor or employee. An objective review is completed to determine whether an affiliation exists between the director, officer, volunteer, contractor or employee and the other person: whether the involvement of relationship of the

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director, officer, volunteer, contractor or employee with the other person is such that it reduces the likelihood that the director, officer, volunteer, contractor or employee can act in the best interests of Partners.

Person means any individual, trust, estate, partnership, association, company, or corporation. Substantial influence over Partners includes but is not limited to director, officers, volunteers, and employees.

#### IV. Procedures

##### Duty to Disclose

Board directors, officers, volunteers, contractors or employees shall disclose to the Director all material facts regarding the affiliation of such director, officer, volunteer, contractors or employee with any person with whom Partners is considering entering a transaction. The director, officer, volunteer, contractors or employee shall make that disclosure promptly upon learning of the link between that person and transaction.

The Director, officer, volunteer, contractor, employee and any other person with substantial influence over Partners shall disclose to the Board all material facts regarding his or her affiliation with any person with whom Partners is considering entering a transaction. The Director or person with substantial influence shall make that disclosure promptly upon learning of the link between that person and the transaction. If there is a question as to whether the employee has substantial influence over Partners, the Executive Director shall present this issue to the Board of Directors, and the Board shall resolve the matter.

Any meeting of the Board at which a transaction involving an affiliated person will be considered, a director shall disclose to the members of the Board all material facts regarding the director's, officer's, volunteers, contractors, or employee's affiliation with any person with whom the Board is considering entering into any transaction.

##### Determining Whether a Conflict of Interest Exists

With regard to an employee without substantial influence over Partner, the Executive Director shall determine whether a conflict of interest exists.

With regard to the Director, or a person with substantial influence over Partners, the Board shall determine if a conflict of interest exists.

After an affiliation disclosure by a Board Member at or outside of a Board meeting, the Board Member shall leave the meeting while the implications of the affiliation are considered and voted upon. The remaining Board Members shall determine if a conflict of interest exists.

##### Consequences of the Existence of a Conflict of Interest

With regard to an employee without substantial influence over Partners, the Director shall decide the appropriate response by Partners once a conflict of interest has been determined to exist. An employee may appeal any adverse determination to the Board.

With regard to the Director, officer, volunteer, contractor or a person with substantial

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influence over Partners, the Board shall follow the procedures set forth below in order to decide whether to enter into the transaction and, if so, to ensure that the terms of the transactions are reasonable.

In the case of a Board Member, if it is determined that a conflict of interest exists, the Board Member shall leave the meeting while the transaction is discussed and shall not vote on it. The remaining directors shall follow the procedures set forth below in order to decide whether to enter into the transaction and, if so, to ensure that the terms of the transactions are reasonable.

### **V. Findings of the Board**

If the Board of Directors determines that a person with substantial influence over Partners (such person) has a conflict of interest with regard to a transaction of Partners, Partners may engage in the transaction only if the following conditions are met prior to the transaction:

- a) Such person shall disclose to the Board all material facts concerning the person's affiliation with the transaction.
- b) The Board shall review the material facts. The transaction may be approved only if a majority of directors, not counting the vote of such person, concludes that:
  - a. The proposed transaction is fair and reasonable to Partners, and
  - b. Partners proposes to engage in this transaction for its own purposes and benefits and not for the benefit of such person, and
  - c. The proposed transaction is the most beneficial arrangement which Partners could obtain in the circumstances with reasonable efforts.

The minutes of any meeting at which such a decision is taken, shall record the nature of the affiliation and the material facts disclosed by such person and reviewed by the Chair of the Board.

### **VI. Annual Statements**

Each person who is deemed to have substantial influence over Partners shall sign an annual disclosure statement which affirms that the person has received a copy of this Conflict of Interest Policy, has read and understood the Policy and has agreed to comply with the Policy, and discloses any direct or indirect affiliations.

Annual Disclosure Statements shall be submitted to the Secretary of Partners and filed with the minutes of the first meeting of the Board of Directors held each year. In addition, these statements will be filed with records kept by the Executive Director. In the case of employees, contractors and volunteers, annual disclosure statements shall be submitted to the Community Partners office and retained in file to disclose to auditors, annually.

### **VII. Remedies**

Any director, officer, volunteer, contractor or employee who fails to comply with this Conflict of Interest Policy may, in the discretion of the Board of Directors, be censured or be removed

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from the Board or volunteer position. If an employee or contractor who is deemed to have substantial influence over Partners fails to comply with this Conflict of Interest Policy, he or she may be put on notice or terminated, in the discretion of the Board of Directors. Any other employee or contractor who fails to comply with this Conflict of Interest Policy may be put on notice or terminated, in the discretion of the Executive Director.

### VIII. Periodic Reviews

To ensure that Partners operates in a manner consistent with its charitable purposes and its status as an organization exempt from federal income tax, the Board shall authorize and oversee a periodic review of the administration of these policies. The review may be written or oral. The review shall consider the level of compliance with the Policy, the continuing sustainability of the Policy, and whether the Policy should be modified and improved.

### G. Confidentiality Policy

The nature of the Partners role as a funder, facilitator, convener and decision-maker in the community results in the acquisition of extensive information that is considered privileged. Much information is shared with the Partners because of its reputation for trust and its ability to make fair decisions. To safeguard the Partners integrity as a responsible decision-maker, to protect its capacity to gather data necessary to make those decisions and to enable the Partners to responsibly carry out its important duties in the community, Partners subscribes to the policy on confidentiality set forth below.

The Buffalo County Community Partners board members, volunteers, officers, contractors and staff shall not engage in private discussion of or otherwise disclose to third-parties information regarding Partners matters (except when engaged in the conduct of the proper business of the Partners). All information that is not a matter of public record, or not otherwise authorized by the appropriate authority (i.e. the Board, Committee of the Board, the Board Chair, or the Executive Director) to be disclosed as public, shall be considered confidential. In furtherance, and not in limitation of this policy, the following shall apply:

- Content of Community Partner's Board business, including documents, reports, records, data, minutes or analysis of such materials performed by the Community Partners, should not be discussed or shared outside of official meetings and processes. This includes information regarding donors, donations, pending grants, investments, contracts and agreements entered into by Partners, policies and processes of the Community Partners, financial information and business records of the Partners and the like.
- All of the material provided to you about an organization or individual as part of the campaign or donor relations and all discussion that takes place as part of the campaign process, whether an individual conversation with one of the donors, or the discussion at a committee meeting, is confidential.
- All of the material provided to you about individuals served by Community Response Flex Fund recipients and/or enrollment information that specifically use a client name and/or private information is to be protected by federal privacy laws. The content of records or information otherwise obtained in regard to clients may not be disclosed to anyone, except where required for an authorized business

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purpose and/or required by law. Information relating to flex fund recipients will be not kept and returned or shredded to ensure privacy is protected of those residents we serve.

- If you have any questions about what is or is not appropriate to discuss outside of the Partners or wish to seek permission to make a public disclosure of information that is otherwise confidential, please talk to the Board Chair or Executive Director.

### **H. Non Discrimination Statement**

Buffalo County Community Partners is committed to the principle of equal opportunity. No person will be subject to discrimination in any project, program, or activity because of race, color, religion, ethnicity, national origin, sex, gender, age, sexual orientation, marital status, disability, political affiliation, veteran status or any other status protected by law.

### **I. Whistle Blower Policy**

#### I. Overview

Buffalo County Community Partners is committed to fair, accurate and transparent accounting of its business practices and financial matters and expects all employees, officers, directors and agents to act in accordance with the highest ethical standards in the performance of their responsibilities. It requires full compliance with all applicable laws and regulations, accounting standards, accounting controls and audit practices. Buffalo County Community Partners relies on all employees, officers, directors and agents to conduct themselves in accordance with the requirements and spirit of this policy and to report any suspected violations of this policy or other questionable financial, accounting or audit matters without fear of retaliation.

#### II. Reporting Grievances, Concerns or Questionable Financial Practices

Any person, volunteer, contractor or employee who has grievances or concerns about Community Partner policy, procedures, accounting, and internal accounting controls or auditing matters, or who becomes aware of questionable behavior or accounting matters, is expected to report such matters to the Director. If employee feels the Director did not address the grievance, he or she can contact a member of the Executive Committee.

In order to facilitate a complete investigation, volunteers, contractors or employee should be prepared to provide as many details as possible, including a description of the questionable practice or behavior, the names of any persons involved, the names of possible witnesses, dates, times, places, and any other available details. Community Partners encourages all volunteers, contractors or employees with complaints or concerns to come forward with information and prohibits retaliation against volunteers, contractors or employees raising concerns.

#### III. Investigation and Response

The Resource Committee will oversee the receipt and handling of allegations of questionable accounting or auditing matters, including directing an appropriate investigation and response. The Executive Committee will oversee any non-financial grievance.

#### IV. Confidentiality and Non-Retaliation

Grievances submitted will be kept confidential to the extent possible consistent with the

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Committee's obligation to investigate and correct unlawful unethical accounting or audit practices or illegal actions. In order to ensure confidentiality, any person may elect to make grievances anonymously.

Community Partners will not retaliate or take any form of reprisal against any person who makes a report pursuant to this policy or who participates in an investigation regarding a violation of the applicable securities laws, rules or regulations, or any provision of the laws regarding fraud against shareholders. Any such retaliation or reprisal by an employee is forbidden.

### **J. Grievance Procedures**

Grievances may be problems with physical conditions, salary, relationships with employees, clients, a member of the public or another agency, disciplinary actions or terminations of volunteer or contractor duties that negatively impacts the person filing the grievance. The grievance procedure is not available to volunteers who have been removed from position by vote of Board of Directors, additionally, the grievance procedure is not available to contractors or staff who have been removed from position by Executive Director.

Directors, officers, volunteers, contractors and employees have the right to express their grievances without fear or restraint, interference, coercion, discrimination, reprisal, or retaliatory action. All grievance situations and procedures will be held highly confidential. This principle also applies to any person taking part in the presentation of a grievance either as a witness or as a volunteer representative. Less serious issues will be addressed at community meetings. Directors, officers, volunteers, contractor and employees will first attempt to address the grievance with those that are directly involved. If satisfaction is not achieved, or when a disagreement cannot be resolved, then the Executive Director will be made aware of the grievance. If the Executive Director is directly involved, the situation will be viewed by the Chairman of the Board. A person who does not agree with this action taken under the informal policies stated above and who is unable to reach a resolution of the problem, may file a formal written appeal to the Executive Director or Board Chairman with in ten (10) days of the incident. If within ten (10) days of receiving the written appeal, the Executive Director is unable to mediate the dispute, the appeal will be submitted to the Grievance Board. The Grievance Board is a group of three individuals, selected from the Board by drawing numbers. This Grievance Board will be moderated by the Chairman of the Board. The Grievance Board will have 72 hours to resolve this dispute. The Grievance Board will hear and review all evidence presented by the parties involved. After careful consideration, a recommendation will be given to the Executive Director or Board Chairman. The decision of the Grievance Board will be final and this information will be shared with the complete board.

SEE NEXT PAGE FOR ANNUAL DISCLOSURE SIGNATURE

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By signing this annual affirmation and disclosure statement, I understand and agree to all policies.

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

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

Title: \_\_\_\_\_

Check all that apply:

- Board Member
- Officer
- Volunteer
- Contractor
- Employee

My Employer (if applicable): \_\_\_\_\_

**Disclosure of Relationship**

<u>Business/Organization</u>	<u>Nature of Relationship</u>	<u>Dates of Relationship</u>
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Signature: \_\_\_\_\_