The Foundation Center

Code of Conduct and Whistleblower Policy

Statement of General Principles

The Center is committed to the highest ethical and professional standards of conduct as an integral part of its mission: to strengthen the social sector by advancing knowledge about philanthropy in the United States and around the World. To achieve this goal, the Center relies on each community member’s ethical behavior, honesty, integrity, and good judgment. Each community member should demonstrate respect for the rights of others. Each community member is accountable for his/her actions.

This code of conduct (“Code”) describes standards to guide us in our daily Center activities. Our goal is to commit them to writing and to ensure that they are understood and followed by the community.

This Code applies to the following members of the Center community: 1) paid staff of the Center when they are working for the Center; 2) consultants, vendors, and contractors when they are doing business with the Center; 3) Center trustees; and 4) individuals who perform services for the Center as volunteers.

Compliance with Laws and Center Policies

The Center and each community member are expected to transact Center business in compliance with all laws, regulations, and Center policies related to their positions and areas of responsibility. In addition, community members are expected to behave in a manner that respects the freedom of others as well as to refrain from interfering with, obstructing, or disrupting a normal Center activity, while exercising their own freedom of expression. Managers and supervisors are responsible for monitoring compliance in their areas.

Confidentiality

The Center maintains confidential records for a variety of business needs. Records include detailed information about customers, job applicants, employees, finances, and future planning. Members of the Center community are expected to protect this information by safeguarding it when in use, storing it properly when not in use, and discussing it only with those who have a legitimate business need to know. Community members who are uncertain about the use of Center records and information should contact their supervisor.
Human Resource Matters

The Center is committed to a work environment free of harassment and disruptive behavior and to providing an equal-opportunity work environment where every member of the Center community is treated with fairness, dignity, and respect. No one shall discriminate against any individual on the grounds of race, color, religion, sex, age, disability, national origin, gender, sexual orientation, or any other factor prohibited by law. Gender is defined as one’s “actual or perceived sex and shall also include a person’s gender identity, self-image, appearance, behavior or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the legal sex assigned to that person at birth.”

All members of the Center community, especially supervisors, must be familiar with laws, regulations, and policies related to employment matters as per the Center’s Handbook for Employees. Assistance is available from the Center’s Director of Human Resources at 212-807-3615.

Center Documents and Record Retention

Every member of the Center community is responsible, within the scope of his or her work, for the integrity and accuracy of the Center’s documents and records. No one may falsify or improperly alter information on any record or document. Center documents and records are retained in accordance with the law and the Center’s record retention policies. Additional assistance is available from the Center’s VP for Financial Strategy at 212-807-3601.

Workplace Health and Safety

The Center seeks a healthy and safe environment for all members of the Center community and for visitors. Every community member is obligated to perform his or her job in a safe manner and to follow all safety rules and procedures. Community members should immediately report any hazardous conditions or job-related illness or injury to their supervisor. Assistance is available from the Center’s Facilities and Office Services Manager at 212-807-2579.

Drug and Weapon-Free Workplace

The possession of a weapon or the manufacture, distribution, possession, or use of a controlled substance in or on any premises or property owned or controlled by the Center is prohibited. Any member of the community who is found guilty (including a plea of no contest) or has a sentence, fine, or other criminal penalty imposed by a court for any offense involving a weapon or a controlled substance that occurred in or on Center property shall report such action to his or her supervisor or to the Director of Human Resources immediately.

Accuracy of Financial Accounting and Reporting

The Center takes very seriously its obligation to comply with the highest standards of financial accounting and reporting. Community members, to the extent applicable to their duties, must:
a) Record or participate in the recording of entries in the Center’s books and records that are accurate to the best of their knowledge;

b) Comply with the Center’s procedures and internal controls for financial reporting; and

c) Provide information that is accurate, complete, objective, relevant, timely, and understandable.

Conflicts of Interest

Foundation Center community members are expected to devote their best efforts to the interests of the Center. No community member shall conduct himself/herself in a manner that creates an actual, apparent or perceived conflict between the community member’s personal interests and the interests of the Center.

Conflicts of interest could arise in the following circumstances:

- Being employed by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while employed with the Center.

- Having a direct or indirect interest, financial or otherwise, in any transaction that is in conflict with the proper discharge of the community member’s duties to the Center.

- Accepting gifts, discounts, favors or services from any supplier, service provider, or vendor of the Center unless equally available to all Center employees.

If a community member has any question regarding whether an actual or proposed transaction, relationship, or course of conduct would create a conflict of interest, he/she must contact his or her manager or executive management to obtain advice on the issue. In addition, board members, officers, and key employees of the Center are subject to a separate Conflict of Interest Policy adopted by the Center’s Board of Directors.

Reporting Suspected Violations and Concerns

The Center requires its community members to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Community members are expected to practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations. It is the responsibility of all community members to comply with the Center’s policies and all applicable laws and regulations and to report violations or suspected violations in accordance with the below whistleblower policy and procedures.

If a community member in good faith believes that an individual has violated any laws, regulations, any provision of this Code, or any other Center policy, that member should immediately report the suspected violation to his or her immediate supervisor, the Director of Human Resources, the President, or the Chair of the Audit Committee, Dominick Impemba, at (212) 852-8241. A submitted report will be investigated by the board or a committee thereof,
with assistance from the President. A report of the findings will be submitted to the full board with recommendations for action.

No community member who in good faith reports any action or suspected action taken by or within the Center that is illegal, fraudulent, or in violation of any adopted policy of the Center shall suffer intimidation, harassment, discrimination, or other retaliation, or, in the case of employees, adverse employment consequences. Retaliation against an individual for reporting an actual or suspected violation in good faith or for participating in an investigation of a violation of this Code is a serious violation of this Code and will be subject to strict disciplinary action, including termination.

Individuals are not obligated to express their suspicions or concerns to their immediate supervisor before bringing it to the attention of one of the other individuals designated above. Reported violations of this Code will be investigated, addressed promptly, and treated confidentially, consistent with the need to investigate, prevent, or correct the violation.

Suspected violations may be submitted confidentially or anonymously. Because it is not possible to obtain further details from the whistleblower, anonymous complaints must contain specific, verifiable facts capable of investigation, such as dates, times, names of persons involved, and a description of the alleged wrongdoing. The Center is under no obligation to investigate vague anonymous complaints that do not provide adequate information on which to base an investigation. Any person responsible for receiving and/or investigating complaints in which the whistleblower has identified him or herself shall keep the identity of the whistleblower confidential by, at a minimum, (1) refraining from disclosing the identity of the whistleblower without the individual’s explicit consent; (2) storing any information related to whistleblowers, allegations, and investigations in a secure location; and (3) limiting the number of people with access to confidential information to the minimum number possible under the circumstances.

Anyone filing a complaint concerning a violation or suspected violation of any law or organization policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates such a violation. The Center will view making a malicious allegation or an allegation known to be false as a serious disciplinary offense.

The Center shall distribute a copy of this policy to all community members.

The Center has designated the following person to administer the whistleblower policy and to report to the audit committee and ensure the policy is distributed to all community members: DeeDee Dickey, Director of Human Resources, 212-807-3615, dcd@foundationcenter.org.