



# EGPAF CODE OF CONDUCT

A Culture of Ethical Behavior—it all begins with you!

*Last Revised July 2021*



## DEAR FOUNDATION COLLEAGUES,

Since our creation in 1988, the Foundation has embraced a culture of integrity and accountability with our employees, Board, donors, business partners, and those we serve. Our ethical behavior and core values are instrumental in upholding our reputation for excellence around the globe.

As CEO, I am privileged to represent you in many different situations. EGPAF's commitment to our mission is never questioned by the donors, government officials, and stakeholders that I frequently meet with. Thank you for your part in upholding our reputation, which has put EGPAF at the forefront in the fight to end HIV/AIDS in children. The values we hold and the behavior we exhibit result in trust, respect, and support from those we serve and with whom we work.

Every day, each of us have a duty to make informed, ethical decisions that build trust and reinforce our values. Our Code of Conduct provides the guidance to help you make the right choice when considering any action. It also reflects our expectation that employees will carry out their work in a way that reflects our core values and demonstrates respect for the diverse experience, background and abilities of others.

I encourage you to be familiar with the resources available to you and if you see something or you have concerns about fraud, misconduct, or anything unethical, to say something. We will support any employee who makes a good faith effort to report a situation that they believe is not right.

EGPAF's reputation is a reflection of how each of us, every day, carry out our work. Thank you for joining me as we live our values and fight for an AIDS-free generation.

Sincerely,

Chip Lyons | President & CEO

## OUR STANDARDS

The Foundation expects all board members, employees, and extended workforce including contractors and temporary staff to know and follow the Code of Conduct and to model it at all times.

The Foundation is committed to following all applicable local laws and donor regulations. We also expect our business partners to be ethical and comply with all laws and contract terms.

The Foundation expressly prohibits retaliation against any individual who reports harassment, misconduct or discrimination, or assists in investigating such charges. Any form of retaliation or any false or malicious accusations will not be tolerated. Violation of EGPAF's policies will result in appropriate disciplinary action, up to and including termination of employment.

## OUR CORE VALUES

At the heart of our approach is a set of core organizational values and operating principles that guide our work in pursuit of our mission and goals:



### PASSION

The Foundation began with a mother's love for her children. That passion—embodied in each member of EGPAF's hardworking staff and partners—continues to guide EGPAF's work around the world.



### INNOVATION

The Foundation is committed to identifying new solutions and approaches to achieve our mission quickly and efficiently and to be nimble in moving new innovations to the locations and families most affected by HIV/AIDS.



### TEAMWORK

The Foundation believes that the only way to end HIV/AIDS is by working together internally and through partnerships with national and local governments, civil society organizations, our affiliated organizations, donors, researchers, and the communities we serve.



### LEADERSHIP

The Foundation has transformed from its humble beginnings around a kitchen table to a global force in the fight against HIV/AIDS. EGPAF strives to rally global, national, and local partners to rapidly, effectively, and efficiently achieve the Foundation's mission.



### INTEGRITY

The Foundation approaches its work ethically with honesty, transparency, and accountability. The Foundation demands the highest ethical standards from our staff and partners in support of our important mission, the vulnerable populations that we serve, and the precious donor resources that we steward.



### EXCELLENCE

The Foundation strives to recruit, develop, and retain a world-class workforce that is best suited to achieve our mission, recognizing the necessity for evolving staff expertise to maximize our impact as the epidemic and operating environment continue to change. EGPAF provides high-quality, efficient services in every aspect of its work and challenges its staff members and partners to achieve the greatest possible impact and value from their efforts.



### EQUITY

We value diversity, equity, inclusion, and belonging in all of our work, with a focus on health equity to address the systemic barriers that fuel pandemics like HIV in marginalized communities. As a global team, we commit to listening, learning, and taking action to empower our staff and the communities we serve in all the places where we work. We will use our voice to uphold the values we embrace as a global community—equality, justice, and rights for all people regardless of color, creed, sexual orientation, gender, disability, or national or ethnic origin.

## POLICIES

The Foundation offers the information and resources you may need to make ethical decisions. Before making a decision or pursuing a course of action, consider the relevant policies as part of our Code of Conduct. Detailed policy information and resources ensure that EGPAF staff are aware of the behaviors expected of them, and can be found on EGPAF's Policy Portal. Please ask for help if you are unsure what to do, and speak up if you believe something isn't right.

The following are key policies that reflect our commitment to ethical conduct:

### Fraud & Suspected Fraud Policy

We operate in challenging economic, political, and regulatory environments full of high-pressure situations. These pressures, combined with gaps in internal controls, often create opportunities for shortcuts and sometimes, outright fraud.

#### What is fraud?

EGPAF has a zero-tolerance fraud policy. Fraud is an intentional act of deception, misrepresentation, impropriety, or concealment to gain something of value at the detriment of another. Fraud poses a risk to the Foundation's assets, as well as its global reputation. Fraud does not necessarily have to result in a loss to the Foundation.

#### Example:

- An employee submits receipts for reimbursement for a hotel for a higher amount than what they actually paid.

#### What are your responsibilities?

- All employees have a duty to report ANY activity that you believe to be questionable – that is, suspected fraud.
- If an employee knows about a questionable act, and does not report it, that is a policy violation that may result in disciplinary action against the employee.

Fraud will not be tolerated and suspected fraud will be vigorously investigated. An employee who commits fraud can expect to be terminated. EGPAF will pursue recovery of funds, and may take legal action against you. Likewise, if you have knowledge of such activity, but don't report it, your silence makes you an accessory to the fraudulent act.

### Procurement Policy

EGPAF practices fair and competitive vendor selection, award selection and management, and administration of contracts. Our policy and processes ensure that employees with responsibility during any stage of procurement do not have a conflict of interest, and that no employee uses their position to personally benefit from or influence contractor selection.

#### Examples:

- A contractor offers a member of the Procurement Committee a gift that places pressure on the employee to award work to the contractor.
- An employee argues for a sole source award to a company who he says is the only one who can do the work, knowing there are several companies in the area who can also perform the work.

### Conflict of Interest Policy

#### What is a conflict of interest?

A conflict of interest occurs when an employee has a personal or professional relationship, financial interest, or obligation outside the Foundation that could possibly corrupt the motivation for their business decisions.

A potential or actual conflict of interest isn't necessarily a bad thing, unless you choose not to disclose it. Any and all potential conflicts should be reported to the Foundation for resolution. In the case of competing interests, it is important to proactively disclose your conflict and, if necessary, remove yourself from the situation.

#### Examples:

- An employee is on the Procurement Committee that will select the winning contractor for services, and one of his/her family members works for a company that submitted a proposal to EGPAF.
- An employee agrees to have their name and CV included on another organization's proposal for future funding.

### Accepting Gifts, Entertainment or Incentive Policy

EGPAF takes pride in our reputation of ethics, integrity, and excellence in the services we provide, as well as our working relationships with donors and partners. Even the appearance of impropriety can tarnish an organization's reputation, therefore, Foundation employees do not accept anything of value that may appear to influence decisions, or provide gifts, entertainment or special treatment in order to gain a business advantage. In general, no gift may be accepted, even gifts of nominal value.

#### Examples:

- An employee receives World Cup tickets from the Manager of our bank, and keeps them.
- An employee offers to reimburse a potential donor for their travel costs and meals.

There are a few instances when it is suitable to accept or to provide a gift of nominal value; refer to the full policies for detailed information.

## POLICIES

### Anti-Bribery Policy

The Foundation complies with the U.S. Foreign Corrupt Practices Act (FCPA) and all applicable anti-bribery laws and regulations in the countries where we work. We oppose bribes, kickbacks and facilitation payments, as they are incompatible with our ethical, accountable, and efficient business operations.

Foundation employees do not engage with current contractors, potential contractors, or government officials to solicit or receive something of value in exchange for the contractor winning or retaining business with the Foundation. Employees support the Foundation in its compliance with applicable laws and regulations by not paying, not offering to pay, not creating cause to be paid, and not authorizing bribes and facilitation payments in this manner.

#### Examples:

- A government official asserts that a compliance problem exists, which based on the facts does not truly exist. Then, the official requests a payment to solve the non-existent problem (a bribe).
- An EGPAF driver pays a police officer cash in exchange for the officer not issuing a traffic citation.

### Child Safeguarding Principles

EGPAF recognizes its responsibility to protect children from abuse and to safeguard their welfare and takes it very seriously. Behavior that could allow abuse, exploitation or neglect to occur or engaging in actions that could be misinterpreted by children, their families, or other adults as constituting or leading to abuse is prohibited. In order to protect children, we are committed to:

- Complying with local child welfare and protection legislation or international standards (whichever has more protection) and with U.S. laws, where applicable.
- Following all procedures to report suspected child abuse, exploitation or neglect in our work to senior management for an investigation. Appropriate actions will be taken based on the results of investigations, including but not limited to termination.
- Considering child safeguarding principles when planning and implementing applicable projects. This includes measures such as limiting unsupervised visits with children; no exposure to pornography; complying with laws, regulations, and customs regarding the photographing and filming of children or other image-generating activities of children.
- Promoting child-safe screening procedures for personnel, particularly those whose work brings them into contact with children.

### Conduct in the Workplace

Employees of EGPAF are responsible for promoting a positive work environment free from discrimination, harassment, bullying, and abusive conduct. We each have a role in ensuring all individuals are treated with respect, which includes reporting suspected harassment occurring in the workplace – in any country, at any site, and by any individual or group.

Any report of discrimination, harassment, misconduct, or retaliation will be investigated, with no exceptions.

### Anti-Prostitution and Trafficking in Persons

The Foundation follows the U.S. Government's opposition to prostitution and related activities, which are "inherently harmful and dehumanizing, and contribute to the phenomenon of trafficking in persons." Trafficking in persons is defined as when a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act is not yet 18 years of age.

EGPAF employees are prohibited from engaging in:

- Trafficking in persons;
- Procurement of a commercial sex act;
- Use of forced labor;
- Acts that directly support or advance trafficking in persons.

### Whistleblower Policy

Foundation employees ensure a positive work environment and fight to protect our funding from corruption and wrongdoing. Employees should speak up and "blow the whistle" if fraud, misconduct, or any wrongdoing is suspected at any time. Senior Management strives to inspire staff to report wrongdoing, and enforces protection for whistleblowers. To the extent necessary, the Foundation treats all communications under this Policy in a confidential manner. Furthermore, the Foundation ensures that anyone involved in whistleblowing is protected from retaliation or other adverse action.

EGPAF employees are provided whistleblower rights and protections under 41 U.S.C. 4712, as described in section 3.908 of the Federal Acquisition Regulation.

## POLICIES

### Confidentiality Policy

Employees who work with or come into the possession of confidential Foundation information or personally identifiable information (PII) about individuals, including program beneficiaries, are required to safeguard the information from the public and not intentionally or inadvertently communicate it to any third party (including family members and friends) unless the person needs to know the information for legitimate, Foundation related reasons or if the information has already been disseminated externally (i.e. through journals, abstracts, training materials, fact sheets, etc.) and/or shared via an authorized release on social media. All EGPAF personnel should be discrete with respect to all PII and EGPAF information and not discuss it in public places. Such information should only be divulged to authorized persons or those on a need-to-know basis to carry out their job responsibilities. Paper and electronic files and documentation should be safely stored and transmitted with appropriate privacy protections or, if necessary, safely disposed of.

### Employment of Relatives and Fraternization Policy

The Foundation allows relatives to work for the organization except in certain circumstances where issues of actual or perceived conflicts of interest, issues of supervision, morale, safety or security are implicated. Individuals may not work in a position where:

- The supervisor, or any supervisor in the chain of command is a relative
- A relative could/would audit the work of the individual
- A relative is working in the same department

In addition, relatives of any member of the Global Leadership Team, Internal Audit, or the Human Resources Department may not work for the Foundation.

The Foundation recognizes that working relationships may also become social or romantic relationships. Sometimes these social or romantic relationships can result in misunderstandings, conflicts of interest, complaints of favoritism, claims of sexual harassment, and employee morale and dissension problems. Therefore, the Foundation requests that an employee who is romantically involved with another employee, donor, vendor or service provider, whether or not involvement is with a supervisor, immediately and fully disclose the relevant circumstances to the employee's supervisor or the Human Resources department. The Foundation may take whatever action appears appropriate.

### Digital and Social Media Policy

The same principles and guidelines found in EGPAF's policies apply to employee activities online. Authorized social networking and blogging is used to convey information about the Foundation, to promote and raise awareness of the Foundation, to search for potential Elizabeth Glaser Pediatric AIDS Foundation new donors, to communicate with employees, to issue or respond to breaking news or negative publicity, and to discuss specific activities and events.

The Foundation respects the right of employees to write blogs and use social networking sites and expects employees to establish a clear line between you as an individual and you as an EGPAF employee. When engaging in online activity it is expected that you will: accept responsibility for all forms of online activity; be respectful and professional; and speak for yourself.

### Drug and Alcohol Abuse Policy

The Foundation is committed to maintaining a work environment that is safe and healthy for employees and visitors. It is the policy of the Foundation that substance abuse in the workplace, or problems related to substance abuse that affect the workplace, will not be tolerated. Employees are expected to report to work in a condition that permits them to perform their assigned tasks in a safe, professional and competent manner.

### Confidential Reporting and Anonymity

Employees who wish to raise a concern may do so anonymously, however the EGPAF encourages staff to include their name. Including a name allows those investigating a concern to contact staff discreetly and directly, and to gather additional information if needed. Providing a name also allows EGPAF to further ensure that employees do not experience retaliation for reporting a concern.

When making a report, it is important to provide as much information and detail as possible. Cases that do not have enough information risk the potential to be closed. In all cases, the EGPAF will endeavor to keep information confidential, sharing only on a need-to-know basis among those directly handling or overseeing the issues reported.

## REPORTING AND CONTACT INFORMATION

**If you see something, say something.**

For confidential reporting, please contact the ethics hotline:

**U.S.:** 888 225 1429

**All other countries:** +1 770 776 5674

**English:** <http://www.reportlineweb.com/PedAids>

**All other languages:** <https://iwf.tnwgrc.com/PedAids>

**You can also talk to your manager, HR Partner or representative, Country Director, or a colleague listed below.**

<b>Tami Ward-Dahl</b>	VP, Human Resources & Administration	<a href="mailto:twarddahl@pedaids.org">twarddahl@pedaids.org</a>
<b>Doug Horner</b>	VP, Awards, Compliance & Operational Excellence	<a href="mailto:dhorne@pedaids.org">dhorne@pedaids.org</a>
<b>Dan Warco</b>	VP, Finance & Accounting	<a href="mailto:dwarco@pedaids.org">dwarco@pedaids.org</a>
<b>Pauline Devinger</b>	Sr. Director, Internal Audit & Risk Management	<a href="mailto:pdevinger@pedaids.org">pdevinger@pedaids.org</a>