



Policy Name:	Mercy University Code of Ethical Conduct		
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Reviewed:	Non-Academic Policy Committee	Approved:	August 17, 2023
Approval Authority:	President <i>Susan Davis</i>	Adopted:	August 28, 2023
Responsible Executive(s):	General Counsel	Revised:	October 5, 2022
Responsible Office(s):	Office of the General Counsel	Contact(s):	General Counsel or Associate General Counsel

I. Introduction

In furtherance of maintaining and promoting Mercy University's mission of providing motivated students the opportunity to transform their lives through education, this Code of Ethical Conduct sets forth the general principles to which we subscribe and to which we expect every member of the University community—including but not limited to, faculty, staff, officers, volunteers, visitors, contractors and vendors—to adhere. These principles have been derived from federal, state, and local laws and regulations, University policies and procedures, contractual and grant obligations, and generally accepted principles of ethical conduct.

II. Adherence to the Highest Ethical Standards and Compliance with the Law

Every member of the University community shall, at all times, conduct their activities in accordance with the highest professional and community ethical standards. Every member of the University community is expected to become familiar with those laws, regulations, and University policies which are applicable to their position and duties, and to comply with both their letter and spirit. The University will implement programs to further community members' awareness and to monitor and promote compliance. All questions and concerns about the legality or propriety of any action or failure to take any action by or on behalf of the University should be referred to either the member's supervisor or to the Office of General Counsel.

III. Compliance with all Contractual and Grant Terms and Conditions

Every member of the University community is expected to maintain access to and to comply strictly with the terms and conditions of each University contract and grant on which they are working. All questions or concerns about whether a particular term or condition violates the law or whether the grantor or contractor has breached its obligations to the University should be referred promptly to the Office of General Counsel.

IV. Support of the University's Goals and Avoidance of Conflicts of Interest

Every member of the University Community is expected to faithfully carry out their professional duties in furtherance of the University's mission. Every member has a duty to avoid conflicts between their personal interests and official responsibilities and to comply with University policies for reporting and reviewing actual and potential conflicts of interest and conflicts of commitment. Additionally, a member of the University community may not utilize their position with the University for their personal benefit. Members are also expected to consider and avoid, not only an actual conflict but also, the appearance of a conflict of interest, including but not limited to the acceptance of gifts. See the University's *Conflict of Interest and Gifts Policy for Employees* or, where applicable, *the Conflict-of-Interest Policy for Trustees, Officers, Senior Managers, Key*

Persons, and Special Designees. Faculty should also refer to the *Faculty Handbook* (2019, 2020 as amended).

V. Maintenance of the Highest Standards of Academic Integrity

Every member of the University involved in teaching and research activities is expected to conform to the highest standards of honesty and integrity. Activities such as plagiarism, misrepresentation, and falsification of credentials or falsification of data are expressly prohibited. All research at the University must be conducted in strict conformity with the applicable University policies, procedures, and approvals and the requirements of all governmental and private research sponsors.

VI. Respect for the Rights and Dignity of Others

Mercy University is committed to a policy of equal treatment, opportunity, and respect in its relations with its faculty, administrators, staff, students, and others who come into contact with the University. Every member of the University is prohibited from discriminating on the basis of race, color, religion, sexual orientation, gender and/or gender identity or expression, marital or parental status, national origin, citizenship status, veteran or military status, age, disability, and any other legally protected status; physically assaulting, emotionally abusing, bullying, or harassing anyone; and depriving anyone of rights in their physical or intellectual property, under University policy, or under federal, state, and local laws.

VII. Maintenance and Preservation of Accurate Records

Members of the University community are expected to create and maintain records and documentation which fully conform to all applicable laws and professional, and ethical standards. Every member of the University who is involved, directly or indirectly, in the preparation or submission of a bill to any governmental or private payor is expected to use his or her best efforts to ensure the bill addresses only those services rendered and products delivered and in the correct amount, supported by appropriate documentation.

VIII. Conducting Business Practices with Honesty and Integrity

Every member of the University community is expected to conduct all business with students, vendors, and the academic community with honesty and integrity. This duty includes, but is not limited to, adherence to federal and state anti-fraud and referral prohibitions in dealing with vendors and referral sources and protecting and preserving University property and assets--including proprietary intellectual property, buildings, equipment, books, supplies, and funds.

IX. Concern for Health and Safety and Respecting the Environment

Every member of the University community is expected, in the performance of their duties, to comply with all laws and regulations which govern occupational health and safety and to make every reasonable effort to ensure that students, faculty, employees, vendors, contractors, and visitors are protected from undue health risks and unsafe conditions.

Every member of the University community is expected, in the course of their activities, to comply with all applicable environmental health and safety laws, rules and regulations; to ensure that the University has obtained all necessary licenses, permits, and approvals; and to employ the proper procedures and controls in the storage, handling and disposition of hazardous materials.

X. Reporting Suspected Violation of this Code, and Enforcement

This Code of Conduct has been created and exists for the benefit of the entire University community. It exists in addition to and is not intended to limit the specific policies, procedures, and rules enacted by the University.

Each member of the University is expected to uphold the standards set forth in this Code of Ethical Conduct, and to report suspected violations of this Code or any other apparent irregularity to either their supervisor or manager, Human Resources, Internal Audit, or the Office of General Counsel. They may also contact the University's **Whistleblower Hotline at 1-888-656-3729**. If a member prefers, they may make the report anonymously <https://www.mercy.edu/whistleblower-form> or by the Whistleblower Hotline. The University will, if requested, make every reasonable effort to keep confidential the identity of anyone reporting a suspected violation, to the extent permitted by law, and except if doing so would effectively prevent the University from conducting a full and fair investigation of the allegations.

This Code of Ethical Conduct will be enforced. Reports of suspected violations will be investigated by authorized University personnel. Officers, managers, and supervisors have a special duty to adhere to the principles of this Code, to encourage their subordinates to do so, and to recognize and report suspected violations. Each member of the University community is expected to cooperate fully with any investigation undertaken. If it is determined that a violation has occurred, the University reserves the right to take corrective and disciplinary action against any person who was involved in the violation or who allowed it to occur or persist due to a failure to exercise reasonable diligence. Additionally, the University may make an appropriate disclosure to governmental agencies (including law enforcement authorities). Disciplinary actions will be determined on a case-by-case basis and in accordance with the applicable disciplinary codes.

XI. Retaliation Prohibited

No Mercy community member, including students, faculty or staff, who in good faith files a complaint or reports any action or suspected action by the University or any other community member that is in violation of law or University policy (including but not limited to the University's *Whistleblower Policy*, *Sexual Misconduct Policy*, *Non-Discrimination Policy*, *Student Complaint Policy*, or *Leave Policy*) shall suffer intimidation, harassment, discrimination or retaliation by anyone at the University, including manager, supervisors, or other faculty, staff or students. Violations of this non-retaliation provision will also lead to disciplinary sanctions up to and including termination for employees or expulsion for students.

In addition, the University promises that there will be no adverse action, retribution, or other reprisal for the good faith reporting of a suspected violation of this Code, even if the allegations ultimately prove to be without merit. The University will, however, pursue disciplinary action against any member who is shown to have knowingly filed a false report with the intention to injure another.

XII. Administration of This Code of Ethical Conduct

The University reserves the right, at any time, and without notice, to amend this Code of Ethical Conduct in its sole, good faith, discretion. This Code does not create a contract. The Office of the General Counsel is responsible for the administration of this Code. If you have any questions regarding this Code or if you have questions about conflicts of interest that are not addressed in this Code, please contact the Office of the General Counsel.

XIII. Employees Covered Under a Collective Bargaining Agreement

The terms set out in this Code of Ethical Conduct work in conjunction with, and does not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement that the UAW and SEIU have with Mercy University. Employees should consult the terms of their collective bargaining agreement. Wherever employment terms in this Code differ from the terms expressed in the applicable collective bargaining agreement with the University, employees should refer to the specific terms of the collective bargaining agreement, which will control.