

Code of Ethics

Section C

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RATIONALE

Principles and practices of the Ohio Retirement for Teachers Association State Board and staff to provide guidance and direction for effective governance.

CODE

Members of the State Board of ORTA and staff are committed to observing and promoting the highest standards of ethical conduct in the performance of their responsibilities. Board members and staff pledge to accept this code as a minimum guideline for ethical conduct and shall:

Accountability:

1. Faithfully abide by the bylaws, standing rules and policies of the organization.
2. Exercise reasonable care, good faith and due diligence in governing and managing affairs.
3. Fully disclose, at the earliest opportunity, information that may result in a perceived or actual conflict of interest.
4. Fully disclose, at the earliest opportunity, information of fact that would have significance in Board decision-making.
5. Remain accountable for prudent fiscal management to association members, the Board, and non-profit sector, and, where applicable, to government and funding bodies.

Professional Excellence and Integrity:

6. Maintain a professional level of courtesy, respect, and objectivity in all matters and activities.
7. Strive to uphold those practices and assist other members of the Board in upholding the highest standards of conduct.

Prohibition Against Personal Gain and Self-Dealing:

8. Exercise the powers invested for the good of all members of the organization rather than for personal benefit.

Equal Opportunity, Diversity, and Inclusiveness:

9. Ensure the right of all members to access benefits and services without discrimination on the basis of legally recognized protected classes such as race, color, religion, sex, national origin or ancestry, age, military status, genetic information, pregnancy, disability, sexual orientation, and gender identity, or on the basis of culture, geography, political beliefs, or socio-economic status, or any other basis prohibited by federal, state, or local law.
10. Ensure the right of all members to access benefits and services without discrimination on the basis of the organization's volunteer or staff make-up in respect to race, color, religion, sex, national origin or ancestry, age, military status, genetic information, pregnancy, disability, sexual orientation, and gender identity, or on the basis of culture, geography, political beliefs, or socio-economic status, or any other basis prohibited by federal, state, or local law.

Confidential Information:

11. Respect the confidentiality of sensitive information known due to Board service and used for the purposes of governance and management.

Collaboration and Cooperation:

12. Respect the diversity of opinions as expressed or acted upon by the organization, Board, staff and membership, and formally register dissent as appropriate. Rev. 04/12/2023

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WHISTLE-BLOWER POLICY

I. General

The organization expects its liaisons, officers, staff members and other representatives to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As representatives of the Ohio Retirement for Teachers Association, we are obligated to practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

II. Reporting Responsibility

It is the responsibility of all liaisons, officers, and staff members to report “Wrongful Conduct” in accordance with this Whistle-blower Policy.

III. Wrongful Conduct

Wrongful Conduct is defined in this Whistle-blower Policy to include:

- a serious violation of the Ohio Retirement for Teachers Association policy;
- a violation of applicable federal, state, or local law;
- the use of the Ohio Retirement for Teachers Association property, resources, or authority for personal gain or other non-organization related purpose except as provided under the Ohio Retirement for Teachers Association policy.

This definition of Wrongful Conduct is not intended to be an exclusive listing of the illegal or improper activity encompassed by the Whistle-blower Policy. Rather, the Whistle-blower Policy is intended to serve as a means of reporting all perceived serious improprieties that potentially impact the integrity and effective operations of the Association.

IV. Acting in Good Faith

Anyone filing a complaint of Wrongful Conduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates Wrongful conduct. Any allegations that prove false and that prove to have been made maliciously or with knowledge of their falsity will be viewed as a serious offense, for which discipline (if a staff member) or removal from the Board (if a liaison) may result.

V. No Retaliation

No liaison, officer, or staff members who, in good faith, reports Wrongful Conduct, will suffer harassment, retaliation, or adverse employment consequences. Any liaison, officer, or staff member who retaliates against anyone who has reported Wrongful Conduct in good faith is subject to discipline, up to, and including, termination of employment or removal from the Board, as applicable. This Whistle-blower Policy is intended to encourage and enable individuals to raise serious concerns within the Ohio Retirement for Teachers Association prior to seeking resolution outside the Ohio Retirement for Teachers Association.

VI. Reporting Wrongful Conduct

The organization encourages its liaisons, officers, and staff members to share their questions, concerns, suggestions, or complaints with someone who can address them properly. Any liaison, officer or staff member may report Wrongful Conduct to the Executive Director of the President of the Ohio Retirement for Teachers Association. If the Wrongful Conduct implicates one or both the Executive Director or the President, or if the reporting individual is not comfortable speaking with or not satisfied with the response of the foregoing individuals, the issue may be reported to any liaison of the Board of the Ohio Retirement for Teachers Association.

VII. Confidentiality

Reports of Wrongful Conduct or suspected Wrongful Conduct may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of Wrongful Conduct or suspected Wrongful Conduct will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

VIII. Handling of Reported Wrongful Conduct

A representative of the Board will notify the sender and acknowledge receipt of the Wrongful Conduct or suspected Wrongful Conduct within five business days, unless such report was submitted anonymously. All reports will be promptly investigated and appropriate action will be taken if warranted by the investigation. Rev. 04/12/2023

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DOCUMENT RETENTION & DESTRUCTION POLICY

This Document Retention and Destruction Policy of the Ohio Retirement for Teachers Association identifies the record retention responsibilities of staff, volunteers, executives of the Board, and outsiders for maintaining and documenting the storage and destruction of the Association's documents and records.

I. Rules

The Association's staff, volunteers, executives of the Board and outsiders(i.e., independent contractors via agreement) are required to honor these rules:

Paper or electronic documents indicated under the terms for retention below will be transferred and maintained by the ORTA State Office

All other paper documents will be destroyed after three years

All other electronic documents will be deleted from all individual computers, databases, networks, and back-up storage after one year

No paper or electronic documents will be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding or private litigation.

II. Terms for Retention

(a) Retain Permanently:

*Governance records–Charter and amendments, bylaws, other organizational documents governing the Board and Board committee minutes.

*Tax Records–Filed state and federal tax returns/reports and supporting records, tax exemption determination letter and related correspondence, files related to tax audits.

*Intellectual property records–Copyright and trademark registrations and samples of protected works.

*Financial records–Audited financial statements, attorney contingent liability letters.

(b) Retain for TEN years;

*Pension and benefit records–Pension plan participant/beneficiary records, actuarial reports, related correspondence with government agencies, and supporting records.

*Government relations records–State and federal lobbying and political contribution reports and supporting records.

(c) Retain for THREE years:

*Employee/employment records–Employee names, addresses, social security numbers, dates of birth, INS Form I-9, resume/application materials, job descriptions, dates of hire and termination/separation, evaluations, compensation information, promotions, transfers, disciplinary matters, time/payroll records, leave/comp time/FMLA, engagement and discharge correspondence, documentation of basis for independent contractor status(retain for all current employees and independent contractors and for three years after departure of each individual).

*Lease, insurance, and contract/license records–software license agreements, vendor, hotel and service agreements, independent contractor agreements, employment agreements, consultant agreements, and all other agreements(retain during the term of the agreement and for three years after the termination, expiration, non-renewal of each agreement).

(d) Retain for ONE year:

* All other electronic records, documents and files–Correspondence files, past budgets, bank statements, publications, employee manuals/policies and procedures, and survey information.

Exceptions:

Exceptions to these rules and terms for retention may be granted only by the Executive Director or the ORTA President.

(Rev. 04/12/2023)

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CONFLICT OF INTEREST POLICY

I. Statement of Policy

A possible conflict of interest exists when a liaison has a material personal interest, either direct or indirect, in a proposed transaction involving this organization. When a liaison has an interest in a transaction being considered by the organization, the liaison should disclose that conflict as early as possible and at least before the State Board or staff member takes action on the matter. Any liaison having a conflict of interest will not vote or use his or her personal influence on the matter and will not be present when the matter is discussed by the Board. The minutes of the meeting will reflect that a disclosure was made and the abstention from voting will be noted.

Liaisons, officers, committee chairs, and staff members of the Association will be required to attest annually to their familiarity with this policy and to provide information concerning any possible conflict of interest so that disclosure, if necessary, is made. Staff members will not benefit materially from the Association beyond receipt of salaries, fringe benefits, and reimbursement for authorized expenses.

II. Definition of Material Personal Interest

A material personal interest is:

1. An ownership interest, directly or indirectly, through business, investment or family, in any entity with which this organization has a transaction or arrangement;
2. Excluding staff pay, a compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement; or
3. As defined above, a potential ownership interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating any transaction or arrangement.

III. Procedures

1. The interested liaison(s) will disclose to the Board, preferably in writing, the material facts as to his or her material personal interest in the transaction and in any corporation, partnership, association or other organization involved in the transaction prior to the meeting at which the Board acts upon the transaction.
2. The interested liaison(s) will absent himself or herself from the meeting while the transaction is discussed and acted upon.
3. A disinterested liaison, or other disinterested party familiar with the transaction, will present evidence of the fairness of the proposed transaction, such as competitive bids or comparable price quotations.

4. The vote of a majority of the disinterested liaisons participating in the meeting and constituting a quorum, after reaching a decision regarding whether the proposed transaction is fair to the organization, will be required for approval of the transaction. The minutes for the meeting will reflect that a disclosure of interest was made and that the interested liaison(s) abstained from voting and was not present during the Board's consideration of the transaction.
5. These procedures(i) will apply to transactions approved after the date of adoption of this policy; and (ii) will not apply to reimbursement of expenses actually incurred by any liaison or executive in the course of performing his or her duties as such.

IV. Potential Conflict Report

To assist in implementing this Policy, each new liaison states they have read and understood the Conflict of Interest Policy. The Conflict of Interest Policy covers existing liaisons, executives, and staff members. Any suspected conflicts shall be made known to the Executive Director or the Executive committee in writing.. (Rev. 04/12/2023)