

# HEKS/EPER CODE OF CONDUCT FOR EMPLOYEES



HEKS  
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# HEKS/EPER CODE OF CONDUCT FOR EMPLOYEES

This Code of Conduct forms an integral part of the HEKS/EPER Employment Contract, respectively of any Service / Consulting Agreement.

## 1. Scope

This Code of Conduct applies to all employees of HEKS/EPER. For activities of the International Division of HEKS/EPER the Code of Conduct is also applicable to consultants with a service contract, expatriates, and all employees of HEKS/EPER country offices. All these people will hereafter be referred to as “collaborators”.

The Code of Conduct regulates the behavior of collaborators for the period in which they work for HEKS/EPER. It is part of the employment or service contract. For permanent employees with a Swiss employment contract, the Code of Conduct forms an integral part of the HEKS/EPER Service and Remuneration Regulations (DBO) of the HQ.

In serious cases, misconduct may lead to sanctions, including termination of the contractual relationship (dismissal, termination of contract) or criminal proceedings.

If donors of HEKS/EPER request such a proof or if other reasons justify it, HEKS/EPER demands during the recruitment process an extract from the debt collection register and an excerpt from the criminal records register. For exposed functions, HEKS/EPER may demand extended criminal records excerpts from candidates. In justified cases, HEKS/EPER may also require existing collaborators to submit such extracts.

## 2. Background

The organizational culture of HEKS/EPER is based on great trust of the employer into the collaborators, who are decisive for the success of HEKS/EPER. Correspondingly, high demands exist regarding the behavior of collaborators.

The Code of Conduct is based on the HEKS/EPER mission statement, the values and core beliefs of HEKS/EPER as well as the rights and obligations of the collaborators. It also takes account of the national legislation, on which the respective contracts is based.

In addition, the behavior of collaborators in operational activities may be regulated by further specific documents. For project implementation abroad, special reference is made to the “ICRC Code of Conduct”, the “Core Humanitarian Standards”, and the “Field Financial and Administrative Guidelines” (FFAG).

### **3. Fraudulent use of job position and power**

Under no circumstances, the job position is to be abused. Neither to unrightfully refuse assistance not respecting her / his job description nor to give preferential treatment with the aim of gaining sexual services, gifts, financial or other advantages. The collaborator does not consciously take advantage of his / her position and does not accept undue gifts or bribes.

The categories of fraudulent use are described in the below chapters 3.1 to 3.4. While the categories are not exhaustive, they do summarize the most important cases of abuse.

#### **3.1. Discrimination and Bullying (Mobbing)**

At any time, collaborators treat all stakeholders (e.g. beneficiaries, project partners, other collaborators and any other people) fairly, with respect, without any kind of discrimination and irrespective of social status, political attitude, ethnicity, color, religion, gender, sexual orientation, age, civil status, country of origin or any disability.

Collaborators do not take any discriminatory actions, such as verbal abuse, slander, bullying, humiliation, or threats against stakeholders.

Interpersonal conflicts, originating in the working relationship and/or arising from differences in content, are not regarded as bullying or discrimination. Such situations do require specific solutions and the involvement of the next higher-level superior.

#### **3.2. Sexual harassment and exploitation, sexual relations with beneficiaries**

Collaborators avoid any type of harassment and do nothing which could cause physical, sexual, or psychological harm. Humiliating, degrading or abusive behavior of any kind is prohibited.

Collaborators do not entertain sexual relations with persons who depend on them.

Collaborators never exchange money, work, goods or services for sex or forms of humiliating, degrading or exploitative behavior.

### **3.3. Conflict of interest**

Collaborators do not offer bribes, kickbacks, gifts, or other favors. If collaborators are offered such, they need to reject them. In social contexts where small gifts serve as a sign of appreciation, such small gifts are excluded from the before mentioned rule, as long as they are small and appropriate (diaries/ calendars, a bottle of wine, food, accommodation, or similar) and as long as they do not lead to a dependency or conflict of interest. Collaborators need to inform their supervisors about the accepted small gifts.

Collaborators inform their supervisors in good time about nonstandard relations with suppliers, partner organizations, service providers, etc. that due to personal (friendship, family, or collegiate relations) can lead to dependence or conflicts of interest.

### **3.4. Child Protection**

Collaborators know that children are a particularly vulnerable group of people, who are particularly vulnerable when they are among the stakeholders of collaborators. Collaborators apply special care in activities involving children, in particular, communication is carried out in an appropriate form.

Employees do not commit sexual acts with minors. Misjudging the age of a person is no protection against sanctions. The applicable laws of the respective country must be applied.

Children below the age of 16 are not employed at HEKS/EPER. Exceptions are employment for training or temporary assignments.

## **4. Violation of Regulations and Laws**

### **4.1. National and International Legislation**

- Collaborators comply with the national and international legislation.
- Collaborators do neither carry nor ever use any arms.
- Consumption, trafficking, and sale of illegal drugs by collaborators is not tolerated.
- Collaborators do not consume alcohol during working hours.

### **4.2. Theft**

Funds, goods, and investments that do belong HEKS/EPER or a stakeholder are neither unjustly held back by collaborators, nor used for any other purpose than the designated one.

## **5. Notification requirement and information**

### **5.1. Notification requirement**

Well-founded suspicion of violations of the Code of Conduct need to be reported for investigation. The following channels can be used:

- Report via the HEKS Integrity Line. It is operated by the Compliance Office at Headquarter. The HEKS Integrity Line guarantees the whistleblower's anonymity and ensures that their identity cannot be traced by technical means. Access to the Integrity Line is possible on the HEKS/EPER website or via the Intranet Sharepoint site.
- Report to your superior or the next higher superior.
- Report by email to [whistleblowing@heks-eper.org](mailto:whistleblowing@heks-eper.org), [whistleblowing@heks.ch](mailto:whistleblowing@heks.ch) or [whistleblowing@eper.ch](mailto:whistleblowing@eper.ch) (run by the Compliance Office at HQ)

Reports can be submitted in English, German, French and Spanish (see manual "1f-B\_203.f Whistleblowing").

### **5.2. Information**

If an allegation of violation of the Code of Conduct is brought forward against a collaborator, she/he is entitled to express her/his point of view. A fair investi-

gation takes place before any sanctions or other measures are taken. The presumption of innocence is valid until other results are obtained.

## **6. Sanctions**

In the case of a violation of the Code of Conduct, one of the following sanctions may be imposed by HEKS/EPER:

- Written warning with threat of termination of contract. HEKS/EPER may choose to set defined goals / milestones which the collaborator needs to accomplish. If not accomplished, the collaboration will be terminated.
- Termination of contract, depending on the circumstances without notice and connected with a filing of a criminal complaint and/or financial reimbursement claim.

## **7. Implementation of the Code of Conduct**

The people subject to the scope of this Code of Conduct know and understand its content. They acknowledge and confirm this with their signature.

All people responsible for the Code of Conduct, in particular the superiors, are involved and participate in the development and maintenance of a trustworthy, transparent work environment that prevents any misuse of power.

June 2020

**Confirmation:**

I have read and understood this Code of Conduct. I confirm that as long as I work for HEKS/EPER or are seen by third parties as a HEKS/EPER representative, I will act according to this Code of Conduct. I am aware of the consequences of any violation.

Place/Date: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_



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