

Enforcement and Discipline of Compliance Violations Policy

Scope:

This policy applies to all affected individuals of the corporations comprising the YAI Network (herein referred to as "YAI"). Affected individuals are all persons who are affected by the provider's risk areas, including employees, the chief executive officer and other senior administrators, managers, trainees, volunteers, consultants, contractors, agents, subcontractors, independent contractors, and the governing bodies of YAI.

Purpose:

YAI is committed to maintaining high quality care and service as well as conducting its business in an ethical and responsible manner in accordance with the agency Code of Conduct and Compliance Program, related policies and procedures, and all applicable laws and regulations.

This policy has been adopted to establish disciplinary procedures and protocols to ensure that affected individuals of YAI adhere to the agency's compliance standards. In accordance with such procedures, YAI will provide disciplinary action for any individuals or organizations whose conduct violates any of the standards referred to above.

Policy:

YAI will provide disciplinary action for affected individuals who violate the agency's compliance standards. YAI will only institute disciplinary procedures after an appropriate investigation of or inquiry into the alleged violations.

Examples of violations of compliance standards that will result disciplinary action:

- Authorizing or directing actions that violate any of the Compliance Standards;
- Participating in, facilitating, or enabling actions that violate any agency policies;
- Having knowledge of and failing to report a violation or suspected violation by another workforce member of YAI in accordance with the Code of Conduct;
- Failing to cooperate in an investigation of any alleged or suspected violation of any compliance standard;
- Retaliating against any staff member for reporting a possible violation or participating in an investigation;
- Failing to provide services in an ethical manner, consistent with applicable laws, regulations and policies.

The Chief Compliance Officer and the Chief Human Resources Officer will ensure that YAI applies all disciplinary actions related to non-compliance consistently. This means that that the agency will impose disciplinary actions based only on the nature and severity of the offense, not on the position or status held by the offender.

When an investigation concludes that a violation of any of the compliance standards has occurred, the Chief Compliance Officer will notify the following individuals:

- The Chief Executive Officer
- The Chief Human Resource Officer
- The Chief Program Officer
- The Regional Director of the violating individual's program
- The supervisor or supervisors of the individuals involved

Except in egregious circumstances where the most severe disciplinary action, such as termination of employment, contract, or board service is immediately necessary (as determined by the Chief Compliance Officer after consultation with the Chief Human Resources Officer), YAI shall apply progressive discipline consistent with the violation of the compliance standard.

When an affected individual has been found to have violated any compliance standard, the Chief Compliance Officer and the Chief Human Resources Officer or their designees will collaborate with the affected individual's supervisor to determine the appropriate disciplinary response. In addition, the Chief Compliance Officer and/or the Chief Human Resources Officer may also consult with the Staff Compliance Committee, the Chief Executive Officer, the Chief Program Officer, legal counsel, or the board of trustees for input regarding appropriate disciplinary action. To the extent possible, YAI will take disciplinary action for violations of compliance standards in accordance with the Progressive Discipline Policy. Affected individuals proven to act with intentional or reckless behavior will be subject to more significant sanctions including written warnings, suspension, or termination of employment.

The Chief Compliance Officer will be apprised of the record of disciplinary actions as necessary to ensure that disciplinary action is applied consistently based on the violation's severity. The Chief Compliance Officer and Chief Human Resources Officer or their designees will fully document all disciplinary actions. They will include this documentation in the disciplined workforce member's personnel file and compliance investigation, as applicable. The documentation will include a written statement of the reason(s) for imposing disciplinary action. The employee's supervisor will consider this documentation during the employee's regular and promotional evaluations. For contractors and vendors, the supervisor or key point of contact will consider this documentation when deciding whether the agency will continue its relationship with the independent contractor. To the extent possible, all contracts with affected individuals shall contain language authorizing YAI to terminate the contract for any violation of the agency's compliance program. In the event of an infraction by an executive level staff or board member, the Chief Compliance Officer will work with the Chief Executive Officer, General Counsel, and Board chair as appropriate to determine the applicable sanction. No person is exempt from this policy, including the CEO or Board chair. The Chief Compliance Officer will refer to the written record when necessary to ensure that the agency disciplines its employees and independent contractors consistently for similar offenses.

The Chief Compliance Officer shall present a report of compliance-related investigations and disciplinary actions at regularly scheduled meetings of the Compliance Committee of the Board of Trustees and the Staff Compliance Committee. However, the Chief Compliance Officer may report a disciplinary action to either group sooner if they believe it is warranted.

References:

Progressive Discipline Policy

For Policy Committee Use ONLY

Document History:

<u>Summary of Changes</u>	<u>Effective Date</u>
Initial Version	November 1, 2011
Updates of Senior Management titles resulting from organizational restructuring and change in corporate logo.	August 21, 2013
Updates of Senior Management titles resulting from organizational restructuring.	July 1, 2015
Change of scope and format. Removal of CIA reference. Reference to YAI as YAI Network. Removal of Supervisor’s Interpretive Guidelines reference and addition of the Progressive Discipline Policy. Title changes. Addition referencing Board members.	04/10/2023
Refined scope, minor changes for clarity	8/16/2024