

SUPPLIER CODE OF CONDUCT POLICY

Policy Statement

Point Park University (the “University”) is committed to conducting business in a manner consistent with ethical, legal, and socially responsible standards and with diligent regard for our fiduciary responsibility and environmental concerns. The University expects its suppliers to share this commitment and to exercise commensurate standards and diligence. Therefore, the University has established a Supplier Code of Conduct Policy (the “Code”).

The purpose of the Code is: 1) to establish that the University considers the ethical, legal, environmental, and socially responsible conduct of its Suppliers as key to Supplier Selection and Retention; 2) to provide requirements for the ethical, employment, environmental, and business practice conduct of potential and current University Suppliers; and 3) to establish potential ramifications of a Supplier’s failure to adhere to these requirements. Suppliers assume all responsibility for determining the applicability of the requirements and for ensuring compliance with said requirements and practices as required by applicable federal, state or local law or ordinances.

Applicability of Policy

The Code establishes conduct requirements for current and potential University suppliers as defined below and supplier subcontractors or agents.

Definitions

1. Supplier. A person or entity that provides goods and/or services to the University and any employee, subcontractor, and/or agent of the person or entity.
2. University Officials. University Officials include all University Board of Trustee members, and University officers with a title of vice president or higher.
3. Confidential Information. Confidential Information shall include, but not be limited to, all nonpublic information provided by University to Supplier, whether intentionally, unintentionally, directly or indirectly, including, but not limited to, all information relating to any student, former student, alumni or other person affiliated, or previously affiliated with the University (including, but not limited to, names, addresses, phone numbers, social security numbers, or any and all other personally identifiable information) and all information that third parties have entrusted to the University.
4. Proprietary Information. Proprietary Information includes intellectual property such as patents, trademarks, and copyrights, as well as business plans, databases, records, employment information, and any unpublished financial data and reports owned by the University or entrusted to the University by a third party.
5. HIPAA - The Health Insurance Portability and Accountability Act of 1996. HIPAA provides national standards to protect the privacy of personal health information.
6. FERPA - Family Educational Rights and Privacy Act (1974) commonly referred to as the Buckley Amendment.

SUPPLIER CODE OF CONDUCT POLICY

Ethical Practices

The University values integrity and ethics in our actions and those of our suppliers. Therefore, suppliers are expected to adhere to the highest standards of ethical behavior and to avoid any of the following practices:

- Unfair Trade Practices - Suppliers will not violate anti-trust laws in the performance of business by engaging in any of the following practices: collusive bidding, price fixing, price discrimination or other unfair trade practices;
- Bribery and/or Kickbacks – Supplier will not transfer assets or make payments to University Officials and/or employees in an effort to influence the University’s conduct or decisions.
- Fraud or Theft of the University’s Assets – Supplier will exercise due care and caution with respect to the University’s assets and will not steal or fraudulently use University Assets.
- Violation of Foreign Corrupt Practices Act – Supplier will not violate the Foreign Corrupt Practices Act where applicable

In addition, Suppliers must adhere to any applicable laws and University policies with respect to:

Conflict of Interest

University Officials and employees have a fiduciary responsibility to the University and are required to discharge their responsibilities with the highest ethical standards and for the sole purpose of advancing the University’s best interests. A conflict of interest exists when a University Official or employee has direct or indirect personal interests that are inconsistent or interfere with the best interests of the University. To avoid such conflicts, Suppliers shall disclose to Procurement & Business Services (1) any direct or indirect personal interests in a Supplier held by any University Official or University employee; (2) any direct or indirect personal interests in the University held by the Supplier, and (3) any family relationship between a University Official or employee of the University and any director, officer, or employee of Supplier.

Confidential Information

Suppliers may receive or become exposed to Confidential Information of University and the University’s students, alumni, faculty, and staff during the course of business with the University or otherwise through its business relationship with the University.

The University’s Confidential Information shall remain the exclusive property of the University. Suppliers shall not use and shall not permit any other entity to use the Confidential Information for any purpose other than as required to perform its obligations to the University. Suppliers shall not disclose any Confidential Information to any third party, except as expressly permitted in writing

SUPPLIER CODE OF CONDUCT POLICY

by Procurement & Business Services or to the extent required by law. Confidential Information shall only be used for the sole purposes defined by the University, and the obligation to preserve Confidential Information continues even after a Supplier's business relationship with the University ends.

Where applicable, suppliers shall comply with all federal and state laws and regulations related to privacy and confidentiality, including but not limited to The Family Educational Rights and Privacy Act (FERPA) and The Health Insurance Portability and Accountability Act (HIPAA).

Proprietary Information

Suppliers are obligated to protect Proprietary Information using the same standard of care and diligence used to safeguard Supplier's Proprietary Information and following established business practices and guidelines concerning protection of Proprietary Information. Distribution or use of Proprietary Information without express written authorization from Procurement & Business Services may be illegal and may result in criminal and/or civil liability and/or termination of the Supplier's business relationship with the University.

Fair Dealing

Suppliers are required to act honestly, in good faith, and with professionalism. Taking unfair advantage of University Officials and employees through manipulation, misrepresentation of material facts, harassment, abuse or misuse of privileged information, or any other unfair practice as determined by the University will not be tolerated and may result in the termination of the Supplier's business relationship with the University.

Employment Practices

All University Suppliers are expected to exercise the highest standard of care with respect to their employees, must treat their employees humanely and with respect, and comply with all applicable federal, state, and local employment laws and ordinances. The following standards must be complied with in order to maintain a business relationship with the University:

- Freely Chosen Employment - Suppliers must not use forced or indentured labor.
- No Child Labor – Suppliers may not employ child labor and must comply with all applicable working age laws and requirements.
- Wages and Benefits - Suppliers must comply with all applicable laws relating to wages and benefits, and must pay the legally prescribed minimum wage or the prevailing industry wage, whichever is higher.
- Working Hours – Suppliers must comply with all applicable laws governing maximum hours of daily labor.

SUPPLIER CODE OF CONDUCT POLICY

- No Harsh, Inhumane Treatment, Harassment or Abuse - Suppliers must respect the rights and dignity of their employees. The University will not tolerate human rights abuses, including physical, sexual, psychological or verbal harassment or abuse of workers.
- Freedom of Association - Suppliers must respect the rights of their workers to choose (or choose not) to freely associate and to bargain collectively where such rights are recognized by law.
- No Discrimination - Suppliers shall not discriminate in its employment practices on the basis of race, color, national origin, sex, age, religion, ancestry, disability, veteran, sexual orientation, genetic information, marital, caregiver status, or familial status.

Occupational Health and Safety Practices - Suppliers must ensure a clean, safe and healthy work environment for their employees and must abide by all applicable health and safety laws. Suppliers shall, at a minimum, provide:

- Occupational health and safety training
- A system for injury and illness reporting
- Medical treatment and/or compensation to workers who become injured or ill as a result of working for supplier
- Machine safeguarding and other protective measures to prevent injuries/illnesses to employees

Environmental Practices

The University is committed to purchasing products and services whose environmental impacts are found to be less damaging to the environment and human health. The University expects suppliers to continuously develop price competitive, environmentally sound, and safe products and services that help us achieve our environmentally preferred purchasing objectives.

Compliance shall include obtaining and maintaining environmental permits, proper handling and disposition of hazardous materials, and monitoring, controlling and treating discharges generated from operations.

Reduction in Waste, Recycling and Reuse

Suppliers are to ensure that the resources and materials they use are sustainable, are capable of being recycled where feasible, and are used effectively with a minimum of waste when the University specifically requests supplier to use a specific product or material.

SUPPLIER CODE OF CONDUCT POLICY

Recommendation of Green Products

Where feasible for a given application, the supplier should provide green product options. Suppliers should also utilize technologies that do not adversely affect the environment and, when such impact is unavoidable, to ensure that it is minimized.

Hazardous Materials

Suppliers are responsible for identifying and managing chemicals and other materials posing a hazard to the environment to ensure their safe handling, movement, storage, recycling, reuse or disposal.

Business Practices

Compliance with Applicable Laws and Regulations

Suppliers must comply with all applicable laws, codes, and regulations of the countries, states, and localities in which they operate, including but not limited to all environmental, occupational health and safety, and employment practice laws and regulations. In addition, University suppliers must require their suppliers (including temporary agencies) to comply with applicable laws.

Media Relations

Suppliers may receive or become exposed to information about the University's plans and strategies for various projects, including but not limited to projects that include Supplier's provision of services and/or goods. Suppliers must treat all such information as Confidential Information and should not divulge such information to the news media or use such information in Supplier's marketing or sales materials without the express written consent of the University.

Export Sanctions and Terrorism Activities

All suppliers to the University must abide by all economic sanctions or trade embargoes that the United States has currently in effect, whether they apply to foreign countries, political organizations, or particular foreign individuals and entities. Suppliers should not directly or indirectly engage in or support any terrorist activity. Neither suppliers nor any of their affiliates, nor any officer or director of the supplier or any of its affiliates, should be included on any lists of terrorists or terrorist organizations compiled by the United States government or any other national or international body, including but not limited to: (i) the U.S. Treasury Department's Specially Designated Nationals List, (ii) the U.S. State Department's Terrorist Exclusion List, (iii) the United Nations List Pursuant to Security Council Resolution 1390 (2002) and Paragraphs 4(B) or Resolution 1267(1999) and 8(C) of Resolution 1333 (2000), and (iv) the European Union List Implementing Article (2)(3) of Regulation (EC) No. 2580/2001 on Specific Restrictive Measures Directed Against Certain Persons and Entities with a View to Combating Terrorism.

SUPPLIER CODE OF CONDUCT POLICY

Unauthorized Solicitations

Suppliers should follow all Procurement and Security guidelines/requirements concerning access to facilities, departments, and offices. Procurement and Business Services should be the new Supplier's first point of contact. Suppliers must receive prior written authorization from Procurement and Business Services to hold on-campus fairs, trade shows, product demonstrations, or exhibits.

Subcontractors

Suppliers must ensure that all subcontractors and any other third parties they use in the production or distribution of goods offered for sale to the University comply with the requirements described in the Code.

Monitoring and Compliance

Suppliers are expected to monitor their compliance with this Code, to notify the University of any non-compliance promptly, and to take any corrective action required to ensure compliance with the Code and applicable legal requirements.

The University or its designated auditor may monitor compliance through commercially reasonable means including, but not limited to, inspection, site visits, and questionnaires. If, based on the information available, the University determines a violation of the Code has occurred, the University reserves the right (in addition to all other applicable legal and contractual rights), to disqualify any potential supplier, to request corrective action, or terminate the business relationship with an existing supplier without liability to the University.

Communication of Code

Suppliers are responsible for communicating the Code to all new and existing employees who are involved in servicing the account or providing goods and services to the University, and for ensuring that their employees and representatives understand and comply with the Code.

Related Policies and Documents

Point Park University Mission, Vision, and Values
Point Park University Code of Conduct
Point Park University Notice of Nondiscrimination
Point Park University Sustainability Policy

SUPPLIER CODE OF CONDUCT POLICY

Review and Questions

This policy is under the purview of Procurement and Business Services and should be reviewed every three years or sooner if necessary. Any revisions are subject to the final review and approval of the Senior Vice President Finance & Operations.

For questions concerning this policy, please contact Procurement & Business Services.