

# The Way We Do Business

## United Way of Central Virginia's Code of Ethics

### A Message from the United Way of Central Virginia's Leadership

*At the core, to care for one another, we have to trust one another.*

As volunteers, employees, and representatives of United Way, we have a responsibility to uphold the highest of ethical standards—both for ourselves and for the benefit of the community we serve. We believe these standards go beyond compliance with laws and regulations—calling us to fulfill higher obligations as stewards of the public trust.

This Code of Ethics is an important way for us to reaffirm our ethical commitments. It sets forth the principles and standards that guide our decisions and actions.

As we read the Code, we must remember that it is more than a set of standards and responsibilities. It is a way of connecting our values and our ideals with the work we do every day. The Code is not just about what we should do, but why we do it. Of course, no document can give us all the answers to our ethics questions. This Code is meant to help us further the discussion of ethics in our workplace. It also encourages us to seek guidance and clarification when we have questions about applying our principles and standards.

The involvement of all our employees and volunteers is essential to upholding these principles and standards. Only by continuing to work together on these issues can we ensure that the United Way fulfills its commitment to build and maintain the public trust in all that we do.

### **Acknowledgement**

We want to acknowledge the work of United Way of America in the development of its Code of Ethics Toolkit and its leadership in the area of ethics planning for organizations. This policy is based substantially upon United Way of America's Code of Ethics. We appreciate the opportunity to build upon this fine work. Eric Aft, United Way of Central Virginia's president, served on United Way of America's Ethics Committee during the time in which United Way of America's policy was developed. An important part of the Committee's work was the revision of the policy and development of the toolkit.

The final version of the draft was presented to the Board following valuable input from the 2003 participants in Lynchburg College's Walter G. Mason Center for Business Development and Economic Education - Progressive Business Forum and the work and input of the Ethics Policy Development Committee. We appreciate the committee members noted below for their time, ideas, and energy.

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## OUR CORE VALUES

### **Caring**

United Way is focused upon helping people. We care deeply about the individuals and families whose lives we impact. We are committed to improving the overall quality of life in the region. United Way stands for helping, hope, and optimism.

### **Ethical**

United Way is an organization with a foundation of integrity. We set high standards for our conduct. Our staff and volunteers, in all our practices and activities, will demonstrate the highest level of integrity and ethical decision-making. We are an organization that is accountable to its donors, demonstrates sincerity in all its actions, and is trustworthy to everyone with whom it interacts. We will be effective, efficient, and good stewards of the investments made by our donors and volunteers.

### **Inclusive**

United Way is committed to being an inclusive organization that embraces all elements of the community in its decision-making process and its governance. It encourages many ways of thinking and various approaches to address the most critical issues facing our community.

### **Collaborative**

United Way knows that success is achieved when people and organizations bring their best programs, skills, and resources together. We will lead the way in convening the individuals and organizations that will create the greatest impact upon our community. We will seek to collaborate, engage, and fund organizations and programs that demonstrate and reflect the values we embrace.

### **Results-Oriented**

United Way will invest its resources, including contributions from our donors, the time of our volunteers, and energies of our staff on activities that respond to the most critical issues facing our community and that make a measurable change in the lives of Central Virginians.

### **Dynamic**

United Way is energetic and passionate in its service to the community. We will adapt our actions and processes in pursuit of a stronger community, while maintaining an awareness and appreciation of our history and traditions. United Way embraces innovation – encouraging staff and volunteers to be creative and attempt new ideas to improve our ability to serve the community. United Way is committed to learning and the expanding the knowledge of its staff and volunteers in order to develop the skills necessary to achieve a positive, lasting impact upon the community.

### **Inspiring**

United Way's actions must encourage, inspire, and motivate others to action. Our aim is to guide and empower our contributors, community leaders, and other charitable organizations.

### **Customer-focused**

United Way will seek the input of its customers, the donors to the organization, and the total community to guide its actions. We believe our customers expect United Way will make a meaningful, measurable, and lasting impact upon the community. Our actions will reflect this focus.

## CODE OF ETHICS

United Way of Central Virginia is committed to the highest ethical standards. The success of our organization and our reputation depend upon the ethical conduct of everyone affiliated with the United Way. Volunteers, staff, and representatives set an example for each other by their pursuit of excellence in high standards of performance, professionalism, and ethical conduct.

This Code of Ethics (Code) is based on our mission and guided by our fundamental values. We are mindful that these core values must be clearly articulated, communicated and continuously reinforced. In addition, more detailed policies, guidelines, explanations, definitions and examples are often needed to bring these values into actual practice. While no document can anticipate all of the challenges that may arise, the Code communicates key guidelines and will assist United Way volunteers, staff and representatives in making good decisions that are ethical and in accordance with applicable legal requirements. All are encouraged to discuss any questions or concerns they have with a supervisor, president, or Board Chairperson.

### 1. PERSONAL AND PROFESSIONAL INTEGRITY

A personal commitment to integrity in all circumstances benefits each individual as well as the organization. We therefore:

1. Meet high standards of performance, quality, service and achievement in working towards the United Way mission. Such attainment is reflected in the organization's compliance with United Way of America's Membership Standards and the Association of Fundraising Professionals' Code of Ethical Principles and Standards of Professional Practice.
2. Communicate honestly and openly and avoid misrepresentation.
3. Promote a working environment where honesty, open communication and minority opinions are valued.
4. Exhibit respect and fairness toward all those with whom we come into contact.
5. Abide by the Personnel Policies, if employed by the organization.

### 2. ACCOUNTABILITY & TRUST

United Way is responsible to its stakeholders, which includes its donors, partner agencies, and others who have placed faith in United Way. To uphold this trust we:

1. Will be good stewards of United Way resources, including donations, grants, in-kind gifts, and other contributions that are used to pay operating expenses, salaries, and employee benefits.
2. Use organizational resources only for United Way purposes.
3. Observe and comply with all laws and regulations affecting United Way and its operations.
4. Will distribute dollars to programs that serve our community, demonstrate accountability in their operations, and provide meaningful, measurable results as determined through an independent review process.
5. Demonstrate its openness in operations by posting financial and board information to our website in a timely manner and responding to all requests promptly.

### **3. SOLICITATIONS AND VOLUNTARY GIVING**

The most responsive contributors are those who have the opportunity to become informed and involved. We therefore:

1. Promote voluntary giving in dealing with donors and vendors.
2. Refrain from any use of coercion in fundraising activities, including predicated professional advancement on response to solicitations. Specifically, United Way of Central Virginia opposes any type of coercion used to solicit contributions. Giving is a personal matter involving a decision by the individual to give or not to give. Likewise, the amount of the gift is a personal decision. In the long run, coercion results in fewer and lower contributions because of the negative reactions and hard feelings created. United Way encourages staff and volunteers to ask for contributions after communicating the benefits and value of contributing to the community campaign. However, United Way does not condone tactics that could result in public embarrassment or a change – real or perceived – in employment or job status.
3. Permit staff members to offer to each other items that are being sold for fund raising purposes for charitable organizations or schools. The employee's supervisor must give permission for these activities and all activities must be conducted without any pressure. Direct supervisors are not permitted to request that their direct reports make any purchases to ensure that a situation of perceived pressure is avoided. During business activities or hours, staff members are not permitted to solicit volunteers for such purposes.

### **4. DIVERSITY AND EQUAL OPPORTUNITY**

United Way is an equal opportunity employer and is committed to the principle of diversity. We therefore:

1. Value, champion, and embrace diversity in all aspects of United Way's activities.
2. Support equal employment opportunity programs throughout United Way. and make an effort to recruit as diverse a work force as possible that reflects our community. United Way's work force is inclusive of paid staff and volunteers engaged in all elements of the organization.
3. Reflect the commitments and ideals set forth in the organization's Statement of Our Commitment for Inclusiveness & Diversity.
4. Refuse to engage in or tolerate any form of discrimination or harassment.

### **5. CONFLICTS OF INTEREST**

To avoid any conflict of interest or the appearance of a conflict of interest which could tarnish the reputation of United Way as well as undermine the public's trust in our United Way and all United Way organizations, United Way staff and representatives:

1. Avoid any activity or outside interest which conflicts or appears to conflict with the best interest of United Way, including involvement with a current or potential United Way vendor, grantee, or competing organization unless disclosed to and not deemed to be inappropriate by the United Way president and Board of Directors.
2. Ensure that outside employment and other activities do not adversely affect the performance of their United Way duties or the achievement of United Way's mission.
3. Ensure that travel, entertainment and related expenses are incurred on a basis consistent with the mission of United Way and not for personal gain or interests.
4. Decline any gift, gratuity or favor in the performance of United Way duties except for promotional items of nominal value, and any food, transportation, lodging or entertainment unless a legitimate business expense directly related to United Way business. If an individual

is uncertain as to the value of the gift in question, clarification should be sought from their direct supervisor. All such gifts should be reported to the individual's supervisor for review and tracking.

5. Refrain from influencing the selection of staff, consultants or vendors who are relatives or personal friends or affiliated with, employ, or employed by a person with whom they have a relationship that adversely affects the appearance of impartiality.

#### **UNITED WAY VOLUNTEERS:**

1. Should not knowingly take any action, or make any statement, intended to influence the conduct of United Way in such a way to confer any financial benefit on themselves, their immediate family members or any organization in which they or their immediate family members have a significant interest as stakeholders, directors or officers.
2. Disclose all known conflicts or potential conflicts of interest in any matter before the Board of Directors. Board or committee members with any organization with which there is or may be a conflict should abstain from any discussion or vote in connection with any matter related to such organization.
3. Members of the Board shall annually file with the president a disclosure of all known potential conflicts of interest.

#### **6. CONFIDENTIALITY AND PRIVACY**

Confidentiality is a hallmark of professionalism. We therefore:

1. Ensure that all information, which is confidential, privileged or nonpublic, is not disclosed inappropriately.
2. Respect the privacy rights of all individuals in the performance of their United Way duties.

#### **7. POLITICAL CONTRIBUTIONS**

United Way encourages individual participation in civic affairs. However, as a charitable organization, United Way may not make contributions to any candidate for public office or political committee and may not intervene in any political campaign on behalf of or in opposition to any candidate for public office. We therefore:

1. Refrain from making any contributions to any candidate for public office or political committee on behalf of United Way.
2. Refrain from making any contributions to any candidate for public office or political committee in a manner that may create the appearance that the contribution is on behalf of United Way.
3. Refrain from using any organizational financial resources, facilities or personnel to endorse or oppose a candidate for public office.
4. Clearly communicate that we are not acting on behalf of the organization, if identified as an official of United Way, while engaging in political activities in an individual capacity.
5. Refrain from engaging in political activities in a manner that that may create the appearance that such activity is by or on behalf of United Way.

## **GUIDANCE AND DISCLOSURE**

Volunteers, staff, and representatives are encouraged to seek guidance from the Board of Directors, president, and/or supervisor concerning the interpretation or application of this Code of Ethics.

Any known or possible breaches of the Code of Ethics should be disclosed. Staff and representatives should contact a supervisor or the president or Board Chairman. Volunteers should contact the Board Chairman or another member of the Board's Executive Committee. Reports of possible breaches will be handled in the following manner:

- All reports of possible breaches will be treated in confidence as much as the organization's duty to investigate and the law allow. If confidentiality cannot be maintained, the individual disclosing the possible breach will be notified.
- All reported breaches will be investigated by the Executive Committee and, if needed, appropriate action taken based upon the policies of the organization.
- Retaliation against a person who suspects and reports a breach in good faith will be treated as an independent breach of the Code.
- United Way affirms prompt action in response to all reported breaches. In addition, an explanation of the action taken and reasons for those actions will be provided to all parties.

An annual report will be made to the Board by the president and/or the Board Chair of any issues that have arisen related to the Ethics Policy or its implementation.

Document will be reviewed every two years by the Executive Committee and reviewed by an ad hoc committee every four years.

Interpretations made of any portion of the Ethics Policy will be published as part of the Policy. Such updates will be completed annually by the Executive Committee and presented in the "Examples" section.

Board Approved pending legal review - May 27, 2004  
Legal Opinion obtained with no suggested changes - June 7, 2004

## CODE OF ETHICS GLOSSARY

**Candidate for Public Office:** An individual who offers herself or himself or is proposed by others as a contestant for an elected public office, whether such office is federal, state or local.

**Conflict of Interest:** A relationship, position, or action that places a person's individual interest in a situation that differs from his or her obligations (reflected in their conduct or decision-making) to the organization for which he or she works or volunteers. Such conflicts would be actions or decisions that an independent observer might reasonably question. This behavior would call into question the professional objectivity and ethics of the individual and also compromises the integrity of the organization.

A conflict of interest arises when a volunteer or staff member diverges from the United Way's professional obligations to a private interest involving actions which are determined by significant personal gain, financial gain or interests.

**Contribution, political:** Anything of value, including monetary and in-kind gifts, provided for the purpose of influencing the outcome of an election.

**Donors:** All individuals and entities that make charitable or in-kind contributions to United Way.

**Immediate family members:** An individual's spouse, children, parents, siblings, and spouses of children and siblings.

**Nonpublic Information:** Any business, financial, or personal information, which is not publicly known or available.

**Political Committee:** Any party, committee, association, fund or other organization organized and operated primarily for accepting contributions to influence the selection, nomination, or election of any individual to any federal, state or local office.

**Privileged Information:** Information that is protected from involuntary disclosure by legally recognized privileges such as attorney-client, doctor-patient, and others.

**Promotional Items of Nominal Value:** Gifts used to promote an organization's name, products, or services.

**Representatives:** Individuals who provide personal services to United Way as independent contractors, consultants, or loaned volunteers.

**Staff:** All individuals, who provide services to United Way as employees or leased employees.

**Vendors:** Entities that provide goods and services to United Way for a fee.

**Volunteers:** All members of the United Way of Central Virginia's Board of Directors and committees appointed by the Board of Directors or act under their auspices, who perform their United Way duties without compensation.

## CODE OF ETHICS EXAMPLES

These examples are provided only to illustrate how provisions of the Code of Ethics may be applied under certain circumstances. The outcome of any particular situation depends on the facts presented and in all cases, the language of the Code of Ethics is controlling.

### ***Harassment***

**Situation:** Joe is continually teased by his younger co-workers for being an “old-geezer”, “out of touch”, and not able to keep up with the pace of the office.

**Solution:** This could be considered harassment and is, at least, contrary to maintaining a positive work environment. Joe should tell his co-workers that their behavior is unwelcome and ask them to stop. If it continues, he should bring it to the attention of his supervisor, president, or Board Chairman. Importantly, even though this example cites a 'continual' situation, the issue and how it should be handled does not change even if it is a sporadic or a one-time event.

### ***Conflict of Interest***

**Situation:** A firm that your father owns is interested in bidding on a contract to supply goods to United Way.

**Solution:** You must notify your supervisor and the president. It is important to avoid even the appearance of conflict of interest or favoritism, especially in situations that could appear to personally benefit you or your family. However, as long as you do not participate in, or are able to remove yourself from the decision making process, and thereby do not have influence in the awarding of the contract, he will likely be allowed to submit a bid. It is important to document activities related to any situation that may be perceived to be a conflict of interest. Seeking assistance as to what and how to document the activities is encouraged.

### ***Conflict of Interest***

**Situation:** While at a community event you bump into a representative from a hotel who learns you are planning United Way's next Annual Meeting. He invites you to dinner and then offers you tickets for you and your spouse to attend the theater.

**Solution:** This could be considered a conflict of interest. You should decline any gift or entertainment that exceeds a nominal value. Similarly, you should not offer any entertainment or gift to a potential donor or supplier that could be interpreted as inappropriately influencing their decision about interaction with United Way.

### ***Solicitation & Voluntary Giving***

**Situation:** You recently let area businesses know that you are considering upgrading the organization's copier. A local business machine owner learned that you and your wife just had a baby. He stops by the office and drops off a baby gift that is valued at what you believe to be around \$30.

**Solution:** This could be considered a conflict of interest. If the business owner is also a family friend this situation may be viewed differently; however, it should be communicated to the appropriate staff or volunteer with a request for their input to determine the appropriate action. If the business owner is not a family friend, the gift should be declined.

### ***Solicitation & Voluntary Giving***

**Situation:** Your daughter is in the school band and at your previous job you sold gift wrapping paper for her to your colleagues at work. Can you do that at United Way?

**Solution:** Solicitations are permitted at United Way provided prior approval is obtained from the Director of Finance & Administration. However, solicitations should be done in such a manner to avoid coercion, whether real or implied, and also to avoid conducting personal business during working time. You should not directly solicit those members of the staff over whom you exercise supervisory authority. You may solicit in a manner, which is non-personal such as posting your request on a bulletin board.

### ***Nepotism/favoritism***

**Situation:** Your sister-in-law is graduating at the top of her class from college this spring. You think she would be a great asset to your department at United Way.

**Solution:** Favoritism based on family or close personal relationships are unfair to other employees. The appearance of such favoritism is easily perceived, even when such situations are harmless. To avoid such an appearance, United Way employees may not supervise or exercise management authority, directly or indirectly, over staff with which they have a relationship that may adversely affect impartiality. While it may seem like a mutually beneficial situation to bring your sister-in-law into your department, this may create an awkward or unfair situation for coworkers or other potential employees.

### ***Confidentiality***

**Situation:** A reporter from a magazine calls you and asks you for your comments concerning United Way's new fundraising strategy towards its largest donors.

**Solution:** Although you may want to be helpful, it is important that you do not give out potentially proprietary or confidential information. For your protection and that of the organization, it is necessary that you refer the call to the president.

### ***Political Contributions***

**Situation:** I serve on the board of United Way. I would like to make a personal donation to my Congressman. Is this something I can do under United Way's political contribution policy?

**Solution:** United Way, as a charitable corporation, legally cannot make political contributions. There is no legal restriction on our volunteers, staff or other representatives. However, in making contributions in an individual capacity, volunteers, staff and representatives should refrain from actions or representations, which may imply or create the appearance that the contribution is on behalf of United Way such as use of United Way stationery, name or logo.

United Way of America provided some of the examples above. We acknowledge and appreciate their willingness to share this material and information.

Current Draft Updated March 16, 2004

**Code of Ethics  
Certificate**

I acknowledge that I have received and read my personal copy of the United Way of Central Virginia Code of Ethics. I understand that each United Way volunteer, staff member and representative is responsible for adhering to the principles and standards of the Code, and I confirm that I have conducted and will continue to conduct myself in accord with the principles and standards of the Code.

The certification process is mandatory for all United Way staff and members of the Board of Directors.

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PRINTED NAME

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SIGNATURE

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DATE

## **United Way of America Membership Standards**

A local United Way meeting United Way of America's Membership Standards will:

1. Be exempt from taxation under Section 501(c)(3) of the Internal Revenue Code as well as corresponding provisions of other applicable state, local, and foreign laws or regulations.
2. Comply with all applicable legal, local, state, and federal operating and reporting requirements.
3. Have an active, responsible, and voluntary governing body, which ensures effective governance over the policies and financial resources of the organization.
4. Adhere to a locally developed and adopted statement to ensure volunteers and staff broadly reflect the diversity of the community which it serves.
5. Represent itself as a United Way in accordance with all United Way of America's trademark standards and requirements, including those contained in the licensing agreement.
6. Provide support to United Way of America in accordance with agreed-upon membership investment formula.
7. Adhere to a locally developed and adopted code of ethics for volunteers and staff, which includes provisions for ethical management, publicity, fundraising practices, and full and fair disclosure.
8. Have an annual audit conducted by an independent certified public accountant whose examination complies with generally accepted auditing standards and generally accepted accounting principles.
9. Conduct and submit to United Way of America every three years a volunteer led self-assessment of its community impact work, financial management, and organizational governance and decision-making.
10. Submit Database II Survey to United Way of America.
11. Submit the Income and Expense Survey to United Way of America.
12. Adhere to standard reporting guidelines contained in Database II Survey in reporting campaign revenue and resources generated to United Way of America.
13. Adhere to the following cost deduction standards on designations - a) fees charged will be based on actual expenses and b) will not deduct fundraising or processing fees from designated gifts originating by or from another United Way organization.

# Code of Ethical Principles and Standards of Professional Practice

## Code of Ethical Principles

The Association of Fundraising Professionals (AFP) exists to foster the development and growth of fundraising professionals and the profession, to promote high ethical standards in the fundraising profession and to preserve and enhance philanthropy and volunteerism.

Members of AFP are motivated by an inner drive to improve the quality of life through the causes they serve. They serve the ideal of philanthropy; are committed to the preservation and enhancement of volunteerism; and hold stewardship of these concepts as the overriding principle of their professional life. They recognize their responsibility to ensure that needed resources are vigorously and ethically sought and that the intent of the donor is honestly fulfilled. To these ends, AFP members embrace certain values that they strive to uphold in performing their responsibilities for generating charitable support.

### **AFP members aspire to:**

1. Practice their profession with integrity, honesty, truthfulness and adherence to the absolute obligation to safeguard the public trust.
2. Act according to the highest standards and visions of their organization, profession and conscience.
3. Put philanthropic mission above personal gain.
4. Inspire others through their own sense of dedication and high purpose.
5. Improve their professional knowledge and skills, so that their performance will better serve others.
6. Demonstrate concern for the interests and well-being of individuals affected by their actions.
7. Value the privacy, freedom of choice and interests of all those affected by their actions.
8. Foster cultural diversity and pluralistic values, and treat all people with dignity and respect.
9. Affirm, through personal giving, a commitment to philanthropy and its role in society.
10. Adhere to the spirit as well as the letter of all applicable laws and regulations.
11. Advocate within their organizations, adherence to all applicable laws and regulations.
12. Avoid even the appearance of any criminal offense or professional misconduct.
13. Bring credit to the fundraising profession by their public demeanor.
14. Encourage colleagues to embrace and practice these ethical principles and standards of professional practice.
15. Be aware of the codes of ethics promulgated by other professional organizations that serve philanthropy.
16. Standards of Professional Practice
17. Furthermore, while striving to act according to the above values, AFP members agree to abide by the AFP Standards of Professional Practice, which are adopted and incorporated into the AFP Code of Ethical Principles. Violation of the Standards may subject the member to disciplinary sanctions, including expulsion, as provided in the AFP Ethics Enforcement Procedures.

### **Professional obligations**

1. Members shall not engage in activities that harm the members' organization, clients, or profession.
2. Members shall not engage in activities that conflict with their fiduciary, ethical, and legal obligations to their organizations and their clients.
3. Members shall effectively disclose all potential and actual conflicts of interest; such disclosure does not preclude or imply ethical impropriety.
4. Members shall not exploit any relationship with a donor, prospect, volunteer, or employee to the benefit of the members or the members' organizations.
5. Members shall comply with all applicable local, state, provincial, and federal civil and criminal laws.
6. Members recognize their individual boundaries of competence and are forthcoming and truthful about their professional experience and qualifications.

### **Solicitation and use of charitable funds**

7. Members shall take care to ensure that all solicitation materials are accurate and correctly reflect their organization's mission and use of solicited funds.
8. Members shall take care to ensure that donors receive informed, accurate, and ethical advice about the value and tax implications of potential gifts.
9. Members shall take care to ensure that contributions are used in accordance with donors' intentions.
10. Members shall take care to ensure proper stewardship of charitable contributions, including timely reports on the use and management of funds.
11. Members shall obtain explicit consent by the donor before altering the conditions of a gift.

**Presentation of information**

12. Members shall not disclose privileged or confidential information to unauthorized parties.
13. Members shall adhere to the principle that all donor and prospect information created by, or on behalf of, an organization is the property of that organization and shall not be transferred or utilized except on behalf of that organization.
14. Members shall give donors the opportunity to have their names removed from lists that are sold to, rented to, or exchanged with other organizations.
15. Members shall, when stating fundraising results, use accurate and consistent accounting methods that conform to the appropriate guidelines adopted by the American Institute of Certified Public Accountants (AICPA)\* for the type of organization involved. (\*In countries outside of the United States, comparable authority should be utilized.)

**Compensation**

16. Members shall not accept compensation that is based on a percentage of charitable contributions; nor shall they accept finder's fees.
17. Members may accept performance-based compensation, such as bonuses, provided such bonuses are in accord with prevailing practices within the members' own organizations, and are not based on a percentage of charitable contributions.
18. Members shall not pay finder's fees, commissions or percentage compensation based on charitable contributions and shall take care to discourage their organizations from making such payments.

*Adopted 1964; amended October 1999.*