

I. PURPOSE AND SCOPE

Mercy-USA for Aid and Development, Inc. Code of Conduct requires directors, officers, employees, and other Mercy-USA representatives to observe high standards of professional and personal conduct and ethics in the conduct of their duties, responsibilities, and daily actions. As employees and representatives of the organization, all must practice honesty and integrity in fulfilling their obligations and comply with all applicable laws and regulations.

The Whistleblower Policy is a complementary policy document and does not replace the Complaints Handling Policy, Child Safeguarding Policy, Prevention of Sexual Exploitation, Abuse and Harassment Policy, or Anti-Fraud Policy.

This policy is intended to provide Whistleblowers with information on reporting suspected improper conduct including illegal, unethical, corrupt, or other inappropriate conduct in circumstances where the reporter desires the protections offered by the Whistleblower Policy.

This policy applies to all Mercy-USA personnel and partners including but not limited to:

- board members
- employees
- volunteers
- suppliers and consultants (including their employees)
- ambassadors
- beneficiaries
- and partner organizations

II. ACCESS TO POLICY

This policy will be accessible on ZohoHR and in hard copy in each office and on the Mercy-USA website. Signed disclaimers and documents must be emailed to staff after signing and employment processes are completed. Personnel and third parties may request copies of this policy by contacting their Mercy-USA focal point or local HR Manager.

III. REPORTING

Violations or suspected violations may be submitted to the following reporting methods:

- 1) [Filing a Complaint \(mercyusa.app\)](https://mercyusa.app) or using the following Quick Response (QR) Code:



- 2) For fraud, corruption, or similar related complaints, contact inquiry@mercyusa.org
- 3) For sexual exploitation, abuse, and harassment related complaints, contact safeguarding@mercyusa.org

Complaints involving program offices and Mercy-USA personnel other than the senior executive team are handled by an independent Investigation Committee at Mercy-USA HQ led by the Head of Internal Controls, Risk Management, and Compliance. Complaints/reports involving Senior Executive Members are

reported to the Board of Directors directly and are investigated by an external third party.

Open Door Policy

Mercy-USA requires senior managers, HR offices, and assigned focal points to abide by the Open Door policy. No prior appointment is needed during all regular office hours to approach a Mercy-USA representative regarding concerns related to a serious breach of Mercy-USA policy.

Duty to Report

It is the responsibility of all directors, officers, employees, and other Mercy-USA representatives to comply with the Mercy-USA Code of Conduct and to report violations of this Whistleblower Policy.

Mercy-USA Code of Conduct requires all personnel to observe high standards of ethics in the conduct of their duties and responsibilities. Personnel and representatives of the Organization must practice honesty and integrity in fulfilling their obligations and comply with all applicable laws and regulations. Failure to do so will result in disciplinary actions up to and including immediate termination.

Personnel who believe in good faith that our high standards of ethics are not being met have a Duty to Report these violations as soon as possible to the appropriate party including but not limited to your immediate supervisor or senior management in your location of hire. If you are not comfortable reporting to local area management, you may report using the reporting mechanisms listed above in Section III.

Individuals found to have known and not reported incidences are subject to disciplinary actions including and up to termination. Confidential and/or anonymous written reports can be submitted directly to direct managers or country office focal points or the reporting mechanisms listed under Section III.

Contracted third parties, partners, and contractors must inform Mercy-USA of serious policy breaches including SEAH and child abuse or exploitation incidences within 7 days of allegations being received.

Defamation and Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation of the Code of Conduct and other relevant policies, must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of Mercy-USA policies. Any allegations that are not substantiated and which prove to be made maliciously and/or are knowingly false will be viewed as defamation. Proven defamation is grounds for disciplinary and legal action by Mercy-USA. Legal action may begin and/or continue during and/or after the end of the individual's employment, contract or engagement period.

IV. WHISTLEBLOWING PROTECTIONS

No Retaliation Disclaimer

Any form of retaliation is considered a Mercy-USA policy violation and illegal in some countries. Mercy-USA does not tolerate any type of threat or retaliation against anyone who reports a violation or cooperates in an investigation. No director, officer, or employee who in good faith reports a violation shall suffer harassment, retaliation, or adverse employment consequences. An employee who retaliates against individuals who have reported a violation in good faith is subject to disciplinary actions up to and including termination of employment.



Confidentiality

Violations or suspected violations may be submitted on a confidential and/or anonymous basis though Mercy-USA encourages reporters to disclose their identities to support the investigation process.

Mercy-USA takes all reasonable measures to protect the identity or identifying information during an investigation regardless of whether the allegations are found to be true, provided that the reporter is acting honestly and ethically and made the report on reasonable grounds.

Allegations and investigations that follow are shared with authorized personnel on a need-to-know basis only.

V. ACCOUNTABILITY AND TRANSPARENCY

Mercy-USA is committed to being transparent and accountable to its personnel, donors, partners, and beneficiaries. Allegations that are proven to be true will be disclosed as appropriate to the Board of Directors and relevant parties which may or may not include institutional and private donors.

In addition to standard background checks, Mercy-USA participates in the Inter-Agency Misconduct Disclosure Scheme (MDS). In line with this Scheme, we will request information from any job applicant's previous employers about any findings of sexual exploitation, sexual abuse, and/or sexual harassment during employment, or incidents under investigation when the applicant left employment.

Investigations

All reported misconduct is taken seriously and acknowledged. Where applicable, administrative investigations would be promptly launched and corrective actions taken as soon as possible. Administrative investigations are fact-finding, analytical processes designed to gather information to determine if misconduct occurred, and if so, identify the responsible persons. Investigation committee members are assigned to make conclusions about the incidents that occurred but do not have any involvement in the final administrative decisions made against an employee who has been found to have breached the organization's codes of conduct.

Where applicable and appropriate, legal measures may be taken and authorities may be involved. Legal counsel would support Mercy-USA in actions taken to protect the interests of Mercy-USA and its work.