

# Fulbright

## CODE OF ETHICAL CONDUCT

---

### Revision control

Document status			
Version:	V01	Owner:	Human Resources
Created by:	HR Director	Status:	Approved
Reviewed by:	COO	Date created:	28 December 2021
Approved by:	Executive Council	Release date:	11 February 2022

Document History			
Version	Creation Date	Effective Date	Change Reference
V01	28 December 2021	11 February 2022	Approved

INTERNAL



# Fulbright

## Table of contents

Table of contents.....	2
I. Synopsis .....	3
II. Policy statement.....	3
III. Scope.....	3
IV. Definitions .....	4
V. Policy .....	4
1. Code of Ethical Conduct .....	4
1.1 Ethical and Professional Conduct .....	4
1.2 Respect for Others.....	4
1.3 Compliance with Laws and Regulations.....	5
1.4 Compliance with Policies and Procedures .....	5
1.5 Compliance with all Contractual and Grant Terms and Conditions.....	5
1.6 Conflicts of Interest and Commitment .....	6
1.7 Appropriate Use of University Resources .....	6
1.8 Appropriate Treatment of Confidential and Private Information.....	6
1.9 Maintenance and Preservation of Accurate Records .....	6
2. Enforcement of the Code .....	6
2.1 Reporting suspected violations .....	6
2.2 Consequences of violations .....	7
2.3 Promise of no retaliation .....	8
VI. Responsibility.....	8
VII. Promulgation.....	8
VIII. Implementation .....	8

# Fulbright

## I. Synopsis

The successful operation and reputation of Fulbright University Vietnam (Fulbright) are built upon the principles of fair dealing and ethical conduct of its employees. Fulbright wishes to uphold its reputation for integrity and excellence, which requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity. The continued success of Fulbright is dependent upon our employees and partners' trust. Fulbright is dedicated to preserving that trust.

Fulbright requires that employees act at all times in a manner that will merit the continued trust and confidence of the public, our employees, affiliates, and partners. FUV will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

Given the variety and complexity of ethical questions that may arise in the course of carrying out Fulbright's business, this Code can serve only as a general guide. Confronted with ethically ambiguous situations, the employee should keep in mind Fulbright's commitment to the highest ethical standards and seek advice from appropriate sources such as her Direct Manager, or Human Resources to ensure that this commitment is honored at all times.

## II. Policy statement

The objective of this policy is to uphold the reputation and integrity of Fulbright by setting forth the general principles to which all Members of Fulbright must adhere.

Fulbright has upheld and will continue to uphold the highest levels of ethics and integrity in all its affairs. To this end, this Code of Ethical Conduct serves:

- 1) To emphasize Fulbright's commitment to ethical conduct and compliance with the law;
- 2) To set forth basic standards of ethical and legal behaviors;
- 3) To provide reporting mechanisms for known or suspected ethical or legal violations; and
- 4) To help prevent or detect wrongdoing.

These principles have been derived from the laws and regulations to which Fulbright is subject, Fulbright policies and procedures, contractual, grant and gift obligations, and generally accepted principles of ethical conduct.

## III. Scope

This Code of Ethical Conduct has been created and exists for the benefit of Fulbright and all of its members, affiliates and partners. It exists in addition to and is not intended to limit the specific policies, procedures, and rules enacted by Fulbright.

### Related Policies and Procedures

- Discrimination and Harassment Policy
- Code of Academic integrity
- Internal Labor Regulations of Fulbright



# Fulbright

## Forms

- Conflict of Interest Disclosure Form
- Non-Disclosure Agreement Form

## IV. Definitions

Term	Definition
<b>Authorized Individual</b>	An individual authorized to execute contracts on behalf of Fulbright, pursuant to the Signatory Authority Policy.
<b>Code</b>	This Code of Ethical Conduct.
<b>Fulbright</b>	Fulbright University Vietnam, including all legal entities under its control.
<b>Member</b>	Every part-time and fulltime employee, faculty member, volunteer, officer, trustee, overseer, and board member.

## V. Policy

### 1. Code of Ethical Conduct

#### 1.1 Ethical and Professional Conduct

All members are expected to conduct themselves at all times in a professional and ethical manner. All Members are expected to observe the highest standards of ethical and professional conduct, and to conduct all business and related professional activities in good faith and with fairness, accuracy, integrity and respect for others. The foregoing stipulates that all Members engaged in research activities to apply responsible and ethical codes of conduct and prohibits Members from unethical activities such as falsification of data, plagiarism and fabrication of research results, whether proposing, performing or reviewing materials and documents pertaining to research.

All Members are also expected to act with due recognition of their position of trust and loyalty with respect to Fulbright, and its students, research sponsors and donors. When in doubt about the propriety of a proposed course of action, a Member should seek counsel from colleagues, supervisors or Fulbright administrators who can assist in determining the right and appropriate course.

#### 1.2 Respect for Others

Fulbright is committed to a policy of equal treatment, opportunity and respect in its relations with its faculty, administrators, staff, students, and others who come into contact with the university. Discrimination and harassment of any kind undermine Fulbright's mission and violate the fundamental rights, personal dignity and integrity of individuals or groups of individuals. Fulbright

# Fulbright

does not tolerate discrimination or harassment on the basis of race, color, national origin, sex, handicap, religion, creed, ancestry, belief, age, marital or parental status, sexual orientation or gender identity.

Further information about actions that constitute discrimination or harassment, and recourse available, please refer to the following Fulbright policies

- Discrimination and Harassment Policy
- Sexual Misconduct Policy

### **1.3 Compliance with Laws and Regulations**

Fulbright is subject to numerous laws and regulations that govern the various activities of Fulbright as an employer, government contractor and institution of higher education. All Members are expected to become familiar with those laws, regulations, and Fulbright rules which are applicable to his or her position and duties, and to comply with both their letter and spirit. This duty includes but is not limited to: adherence to anti-fraud and referral prohibitions in dealing with vendors and referral sources; and adherence to all antitrust laws (such as those governing prices and other sales terms and conditions, improper sharing of competitive information, allocation of territories, and group boycotts).

Fulbright will implement programs to further Members' awareness and to monitor and promote compliance. All questions and concerns about legality or propriety of any action or failure to take action by or on behalf of Fulbright should be referred to the Member's supervisor.

### **1.4 Compliance with Policies and Procedures**

All Members are expected to familiarize themselves with and follow applicable Fulbright policies and procedures. As part of this, each Member also is expected to follow the policies and procedures enacted by the academic or administrative unit within which the Member is working at Fulbright. Questions about a specific policy or procedure should be directed to the individual or office responsible for oversight of that policy or procedure.

### **1.5 Compliance with all Contractual and Grant Terms and Conditions**

In the ordinary course of its business of education and research, Fulbright enters into various agreements, such as contracts, grants, licenses, gifts, purchase orders and other binding obligations. Entering into an agreement with Fulbright creates a legal obligation on the part of Fulbright to comply with the terms and conditions of that agreement, including applicable laws and regulations. Therefore, only Authorized Individuals may enter into agreements on behalf of Fulbright.

All Members are expected to act in good faith and adhere to all agreements and other binding obligations undertaken by Fulbright. In particular, Members involved in externally sponsored research activities must strictly adhere to all contractual obligations outlined in the terms and conditions of the agreement and all applicable local laws and regulations governing those activities.

All questions or concerns about whether a particular term or condition violates the law or whether the grantor, donor or contractor has breached its obligations to Fulbright should be referred promptly to the Legal Manager or the Office of President.



# Fulbright

## **1.6 Conflicts of Interest and Commitment**

A conflict of interest occurs when a Member is in a position to influence a decision on policy or purchases where he or she might directly or indirectly receive financial benefit or give improper advantage to associates.

A conflict of commitment arises when a Member's involvement in outside activities substantially interferes with his or her commitment to Fulbright.

Every Member has a duty to avoid conflicts between his or her personal interests and official responsibilities and to comply with Fulbright policies and procedures for reporting and reviewing actual and potential conflicts of interest and conflicts of commitment. Additionally, a Member may not utilize his or her position with Fulbright for his or her personal benefits. Members are also expected to consider and avoid, not only an actual conflict but also, the appearance of a conflict of interest. If in doubt, always seek advice from the Member's supervisor or HR.

## **1.7 Appropriate Use of University Resources**

University resources are reserved for Fulbright business purposes. Therefore, all Members are expected to ensure that Fulbright resources, including proprietary intellectual property, buildings, equipment, books, supplies, and funds, are used appropriately for the benefit of Fulbright and in compliance with applicable laws and regulations and Fulbright policies and procedures.

## **1.8 Appropriate Treatment of Confidential and Private Information**

Members of the University community may have access to confidential, proprietary or private information of various types, including student records, employee records, University business information, personally identifiable information, intellectual property and other information subject to contractual or legal obligations of confidentiality. All members of the University community must follow all applicable legal, contractual and policy restrictions on the use, disclosure and safeguarding of such information, including those contained in the Fulbright Privacy Policy.

## **1.9 Maintenance and Preservation of Accurate Records**

When required by their job responsibilities, Members must record, allocate, document and/or report revenue, expenditures, time, effort and other information in an accurate, complete and timely manner. All entries in Fulbright's books and records, including departmental accounts and individual expense reporting, must accurately reflect each transaction and fully conform to all applicable laws, Fulbright policies, and professional and ethical standards.

## **2. Enforcement of the Code**

### **2.1 Reporting suspected violations**

Each Member has the responsibility to ask questions, seek guidance and report suspected violations of this Code or any other applicable law or regulation, contractual or other obligation of Fulbright or of Fulbright policy or procedure. Administration, ExCom members, Directors have a special duty to adhere to the principles of the Code, to encourage their subordinates to do so. Members are encouraged to report suspected violations through standard management channels, such as to their immediate supervisor or other appropriate University officials such as HR or the Management.

# Fulbright

The University will, if requested, make every reasonable effort to keep confidential the identity of anyone reporting a suspected violation, to the extent permitted by law, and except if doing so would effectively prevent the University from conducting a full and fair investigation of the allegations.

While it is not possible to list all forms of behavior that are considered unacceptable in the workplace, the following are examples of infractions of rules of conduct that may lead to disciplinary action by Fulbright, up to and including unpaid suspension or immediate termination of employment:

- Falsification of employment records, employment information, research results or other records; Excessive use of alcohol, and the use of illegal drugs, or other unauthorized controlled substances during worktime or while on Fulbright business (the exception being the responsible use of alcohol during social events).
- Theft of or intentional damage to Fulbright property or the property of any employee, vendor, or contractor; Unauthorized use of Fulbright equipment, materials, or facilities.
- Possession of firearms, knives, or other dangerous weapons or material on Fulbright property or while on Fulbright business.
- Criminal conduct, whether or not related to job performance.
- Deliberate and/or repetitive insubordination, including the failure or refusal to follow the instructions of a supervisor or other member of management.
- The use of threatening, profane, abusive, or harassing language or conduct.
- Sexual harassment or other harassment in violation of Fulbright Harassment policy.
- Commission of or participation in any illegal or fraudulent act, serious breach of trust, or breach of fiduciary duty.
- Unauthorized disclosure of proprietary or confidential information.
- Inappropriate use of electronic mail, voicemail, or the internet.
- Violation of any policy in this Code of Ethical Conduct.
- Failing or refusing to abide by safety and security rules, policies, or instructions.
- Smoking in "No Smoking" areas or anywhere within the workplace.
- Failing to report unsafe actions or conditions.
- Job abandonment.
- Excessive, unjustified, or unexcused tardiness or absenteeism.
- Actions and activities detrimental to Fulbright including: Defamatory Email communication, both internal and external, damaging social media posts, acts and instigations of malicious, inflammatory and non-collegial behavior.

## 2.2 Consequences of violations

If it is determined that a violation has occurred, Fulbright reserves the right to take corrective and disciplinary action against any person who was involved in the violation or who allowed it to occur or persist due to a failure to exercise reasonable diligence. Additionally, Fulbright may make an



# Fulbright

appropriate disclosure to governmental agencies (including law enforcement authorities). Disciplinary actions will be determined on a case-by-case basis and in accordance with the applicable disciplinary codes.

## 2.3 Promise of no retaliation

Reports of suspected violations may be made confidentially, and even anonymously, although the more information that is given, the easier it is to investigate the reports. A report of a suspected violation is a service to Fulbright and will not in itself jeopardize employment with Fulbright. Fulbright promises that there will be no adverse action, retribution, or other reprisal for the good faith reporting of a suspected violation of this Code, even if the allegations ultimately prove to be without merit. Fulbright will, however, pursue disciplinary action against any member who is shown to have knowingly filed a false report with the intention to injure another.

## VI. Responsibility

The Management is responsible for monitoring the implementation, outcomes and scheduled review of this Code.

The Director of Human Resources is responsible for maintaining the content of this Code, as delegated by the Board or the Management.

Fulbright reserves the right, at any time, and without notice, to amend this Code of Ethical Conduct in its sole, good faith, discretion. This Code does not form a contract.

## VII. Promulgation

The Code of Ethical Conduct will be communicated to all Fulbright Members in the form of:

- Made available in the SharePoint Policies and Procedures directory
- Made available on the public web site
- Notification to the Board of Trustees


## VIII. Implementation

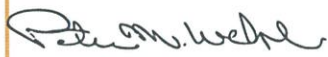
The Code of Ethical Conduct will be implemented throughout Fulbright via:


- Staff Induction and Familiarization Sessions
- Annual training on the Code of Conduct



# Fulbright

Proposed by			
Name:	Nguyễn Giáng Thu	Position:	Director of HR
Signature:		Date:	28/12/2021

Approved by			
Name:	Peter Welsh	Position:	COO
Signature:		Date:	10/02/2022

Name:	Nora Taylor	Position:	Interim Provost
Signature:		Date:	10/02/2022

Name:	Đàm Bích Thủy	Position:	President
Signature:		Date:	11/02/2022



