

NATIONAL ASSOCIATION OF TRAVEL HEALTHCARE ORGANIZATIONS

CODE OF ETHICS

I. PREAMBLE

The Code of Ethics is for the Travel Healthcare industry. Members of this industry are responsible for maintaining and promoting ethical practice. This Code of Ethics has been adopted by the National Association of Travel Healthcare Organizations (NATHO) and shall be binding on any member organizations that belong to NATHO in any status. The actions of any entity or employee controlled by a member organization or a principal of a member organization or by an entity which controls a member organization shall be considered as the action of a member for the purpose of this Code. The establishment of and adherence to this Code of Ethics is necessary to the well-being of this industry.

In general, it would be considered that a violation of the Standards of Practice also construes a violation of the Code of Ethics.

This Code of Ethics will serve to clarify the manner in which each member organization may fulfill its responsibilities to the general public, to clients, to candidates, to other recruitment organizations and to other Travel Healthcare organizations. If a dispute occurs between members, the first obligation is for the members to resolve the issue among themselves. It is understood that disputes between members will then go to the Ethics Committee for resolution.

II. DEFINITIONS

- A. Board of Directors - The Board of Directors of the National Association of Travel Healthcare Organizations.
- B. Candidate - An individual who contacts a NATHO member in pursuit of a position, or individual contacted by an NATHO member organization or an individual member.
- C. Chairman, Ethics Committee - Appointed by the NATHO President, chairs all meetings of the Ethics Committee.
- D. Client - An organization that contracts with, or may potentially contract with, an NATHO member to recruit candidates and/or an organization that utilizes Travel Healthcare services and contacts or is contacted by an NATHO member.
- E. Code - This Code of Ethics.
- F. Complainant - A person or organization who files a complaint alleging violation of the Code.
- G. Complaint - A written charge by a complainant alleging violation of the Code.
- H. Curriculum Vitae - Information that includes names, addresses, background information and historical information on individuals in any form including an employment application or work history document.
- I. Member - An organization, firm, or individual member that is a member of NATHO.
- J. NATHO – The National Association of Travel Healthcare Organizations.

- K. Potential Client - Any individual or organization to whom you represent your services.
- L. President - Chief elected officer of NATHO.
- M. Submittal - A submission of a candidate for hiring consideration by a Member to a Client. A Candidate will only be considered a Submittal if staffing assistance has been requested by the client or a potential client. A Submittal must minimally include a name, address, and employment history, and have the express consent of the candidate. A submittal may be given over the telephone, E-mail, internet or by fax with the candidate's consent
- N. Standards - NATHO Standards of Practice and Procedures.
- O. Ruse – An action whereby someone is misrepresenting themselves and/or their organization.

III. ETHICAL RULES

- A. Relationships with Clients and Potential Clients
 - a) A member shall reasonably fulfill all agreements made with a client or a potential client, and shall make no promises that the member has reason to believe it cannot fulfill.
 - b) A member shall preserve all confidences of a client or a potential client on information concerning business practices of the client, unless expressly directed by the client to reveal such confidences.
 - c) A member shall not knowingly make a false statement of fact to a client or candidate or another member organization, and shall state to the client as accurately as possible a candidate's employment history and qualifications.
 - d) A member shall not submit, present or refer, either in person, or by resume, employment application or by name, a candidate to a client, or potential client except at the request of the client or firm for staffing assistance, and only if the candidate's name and address are identified, and only with the candidate's knowledge and express consent. A member that makes an unsolicited submittal with the intention of charging a fee will be considered in breach of the Code of Ethics. If a candidate's file is submitted by more than one member, the member company that receives the actual job offer from the client will be honored as the company representing that candidate, regardless of the timing of the submittals. If a client makes an offer to more than one member, the traveler will choose the company to represent them.
 - e) A member shall thoroughly examine a candidate's employment history and qualifications before referring such candidate to a client, a potential client or another firm, and shall refer a candidate to them only if the candidate generally possesses the qualifications designated by the above mentioned and the candidate expresses an interest in the opportunity.

- f) A member shall negotiate a fee with a client or a potential client. The fee obligation shall be fully disclosed preferably in a written agreement signed by the client.
- g) A member shall not initiate the performance of services for a client if:
 - i. the performance of services will result in violation of any applicable law; or
 - ii. the member learns that the client has used the member's services in the past to commit actions in violation of any applicable law;
- h) A member shall comply with all federal, state and local laws governing hiring practices.
- i) A member shall adhere to credentialing standards established by the Joint Commission.

B. Relations with Candidates

- a) A member shall not knowingly make a false statement of fact to a candidate and shall state to a candidate as accurately as possible the responsibilities, compensation, hours and other pertinent information concerning prospective opportunities.
- b) A member shall not present a candidate's name or curriculum vitae to a client, a potential client or another firm except with the consent of the candidate.
- c) A member shall not refer a candidate to a client, potential client or another firm whose business practices are known to be in violation of any applicable law.
- d) A member cannot ruse candidates.
- e) A member shall not encourage or otherwise knowingly cause a candidate to breach a current obligation or agreement to a future contract, whether verbal or written.

C. Cooperation in Investigations

- a) A member about which a Complaint has been made and is under investigation by the Ethics Committee shall cooperate fully with the Ethics Committee, or Board of Directors (and will honor requests for documentation, testimony, or explanation of facts and circumstances) concerning violation of the Code in a timely manner.
- b) A member that reasonably believes that another member has committed a violation of the Code may inform the NATHO Board of Directors after they have contacted the other organization first to resolve the matter between themselves.

D. Advertising and Other Communications

- a) A member shall not in the course of its advertising, marketing, or other communications make a false or misleading statement about the organization, firm or its services, or about another organization or its services. A statement will be considered false if:

- i. it contains a material misrepresentation or omits a fact which would make the statement as a whole misleading;
 - ii. it is likely to create an unjustified expectation about the results the member can achieve, or states or implies that the member can achieve results that violate the Code or any applicable law;
 - iii. it makes a comparison of the member with another member is factually false and that cannot be factually substantiated.
- b) No member or its representatives shall knowingly misrepresent or malign the position of NATHO or its members.
- c) A member that lists potential employment opportunities in all types of media or directly to a candidate shall ensure that such opportunities in fact exist at the time of making such listing.

E. Relations With Other Organizations

- a) All members must compete in a fair and honorable manner and will:
 - i. never disparage the reputation of a competitor or another member of NATHO;
 - ii. honor all lawful agreements made between other members and refrain from defaming, maligning or falsely accusing any other member or competing firms;
 - iii. refrain from intentionally misrepresenting another member to a prospective candidate or client or another firm;
 - iv. act professionally and in a businesslike manner towards other members at all times;
 - v. not engage in a deceptive or misleading manner with respect to other members;
 - vi. honor all lawful agreements made with other members;
 - vii. not engage in any activity which brings dishonor to the healthcare staffing industry;

F. Accounting, Labor, and Taxation Standards

It is understood that violating accounting and taxation laws to gain competitive advantage is not only unlawful, but also puts our key stakeholders, our clients and travelers, in serious risk of sanctions for violating labor laws and IRS regulations. As experts in healthcare staffing, this is unacceptable and irresponsible behavior. All members must comply with generally accepted accounting principles, wage and hour laws, and fully comply with IRS regulations not limited to, but to include:

- a) proper usage of non-taxable per diems or lodging or meals and incidentals allowances/reimbursements
- b) appropriate classification of temporary healthcare employees as non-exempt and W2 employees
- c) abidance by all overtime laws
- d) proper withholding of all taxes, including state income taxes

*The above standards in this Code of Ethics are MINIMUM Standards, and in cases whereby specific contracts between Travel Healthcare Companies and their Clients or Travelers include standards in excess of these minimums, such higher standards will be honored.

IV. ETHICS COMMITTEE

- A. There shall exist an Ethics Committee that shall consider a complaint forwarded by the President and the Ethics Committee Chairperson.
- B. The Ethics Committee will consist of a minimum of three (3) members from different membership organizations, led by a chairperson. In the instance of a complaint lobbied against a company with a representative on the Ethics Committee, said representative shall recuse themselves from the investigation and judgment of the committee. If the committee is unable to achieve consensus, the President shall serve as a tie-break.

All members are to be continuously aware of ways in which a member can help fellow association members improve their awareness and compliance with the Association's Code of Ethics.