



University of Pittsburgh Policy Supplier Code of Conduct

Category: Financial Affairs

Section: Purchasing

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Policy Number: FN 22 (formerly 05-02-18)

Effective date: February 19, 2018

Responsible University Officer:

- Senior Vice Chancellor and Chief Financial Officer

Responsible Department

- Purchasing Services Department

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POLICY STATEMENT

This policy establishes a code of conduct for current and potential University suppliers. The University is committed to conducting its business in an ethical, legal and socially responsible manner.

The University expects its suppliers to share this commitment and, therefore, has established this Supplier Code of Conduct.

Although there may be legal and cultural environments applicable to its suppliers, University suppliers must meet the following minimum requirements in order to do business with the University:

Compliance with Laws, Regulations and Published Standards

University suppliers must comply with all applicable laws, codes or regulations of the countries, states and localities in which they operate. This includes, but is not limited to laws and regulations relating to:

- Environmental
- Occupational health and safety
- Labor practices

In addition, University suppliers must require their suppliers (including temporary labor agencies) to do the same. University suppliers must conform their practices to any published standards for their industry.

Where alleged conduct might impact the educational or employment environment, University suppliers agree to abide by laws governing the University such as Title VI and IX.



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Environmental Practices

University suppliers shall comply with all environmental laws and regulations applicable to their operations worldwide. Such compliance shall include, among other things, the following items:

- Obtaining and maintaining environmental permits and timely filing of required reports
- Proper handling and disposition of hazardous materials
- Monitoring, controlling and treating discharges generated from operations

Occupational Health and Safety Practices

University suppliers shall provide their employees with a safe and healthy working environment in order to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work or as a result of the operation of the supplier. Suppliers shall, among other things, provide:

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

Labor Practices

The University expects its suppliers to adopt sound labor practices and treat their workers fairly in accordance with local laws and regulations. In addition, suppliers must comply with the following standards:

- Freely Chosen Employment
 - Suppliers shall not use any forced labor, whether in the form of prison labor, indentured labor, bonded labor or otherwise.
- No Child Labor
 - Suppliers shall comply with local minimum working age laws and requirements and not employ child labor.
- Minimum Wages
 - Suppliers shall provide wages for regular and overtime work and benefits that meet or exceed legal requirements.
- Working Hours
 - Suppliers shall not require workers to work more than the maximum hours of daily labor set by local laws.
- No Harsh, Inhumane Treatment or Abuse
 - Suppliers shall treat each employee with dignity and respect. In no event shall the supplier's workers be subject to threats of violence, physical punishment, confinement or other form of physical, sexual, psychological or verbal harassment or abuse.
- No Discrimination
 - Suppliers shall not discriminate in their employment practices on the basis of race, color, religion, sex, age, physical disability, national origin, creed, gender identity and expression or any other basis prohibited by law or the University Nondiscrimination, Equal Opportunity, and Affirmative Action policy.



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- Freedom of Association.
 - Suppliers shall recognize and respect the rights of its workers to organize in labor unions in accordance with local labor laws and established practices.

Ethical Business Practices

Suppliers shall conduct their businesses in accordance with the highest standards of ethical behavior and in accordance with applicable laws and regulations. Suppliers are expected to conform to these requirements in each of the following areas:

- Fair Trade Practices
 - Suppliers shall not engage in collusive bidding, price fixing, price discrimination or other unfair trade practices in violation of antitrust laws.
- Bribery, Kickbacks and Fraud
 - No funds or assets of the supplier shall be paid, loaned or otherwise disbursed as bribes, "kickbacks", or other payments designed to influence or compromise the conduct of the University.
- Foreign Corrupt Practices Act
 - While laws and customs vary throughout the world, all suppliers must comply with foreign legal requirements and United States laws that apply to foreign operations, including the Foreign Corrupt Practices Act. The Foreign Corrupt Practices Act generally makes it unlawful to give anything of value to foreign government officials, foreign political parties, party officials, or candidates for public office for the purposes of obtaining or retaining business. See Policy Attachment A for definitions, scope, and detailed policy requirements related to compliance with the Foreign Corrupt Practices Act.
- University Policies and Procedures
 - Suppliers must comply with the University's published policies and procedures, including, but not limited to, the University's Conflict of Interest and Procurement Relationships and Code of Ethics policies.
 - Suppliers must manage conflicts of interest that arise due to any contracted consulting relationship with the University as described in the Consultant Conflict of Interest policy. Conflicts of interest can arise when the supplier may influence negotiation of contracts or make purchases of goods or services for the University where the supplier has a financial interest or relationship.
- Intellectual Property Rights
 - Suppliers shall respect the intellectual property rights of others, especially the University, its affiliates and business partners. Suppliers shall take appropriate steps to safeguard and maintain confidential and proprietary information of the University and shall use such information only for the purposes specified for use by the University.
 - Suppliers shall observe and respect all University patents, trademarks and copyrights and comply with all requirements as to their use as established by the University. Suppliers shall not transmit confidential or proprietary information of the University via the internet unless such information is encrypted in accordance with minimum standards established by the University.



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Export Sanctions/Terrorism Activities

University suppliers must abide by all economic sanctions or trade embargoes that the United States has adopted, 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:

- The U.S. Treasury Department's Specially Designated Nationals List
- The U.S. State Department's Terrorist Exclusion List
- 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)
- 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.

Solicitations by Suppliers

All suppliers shall comply with all guidelines and policies, including the Schools of the Health Sciences Industry Relationship Policy, issued by the University relating to access to University facilities, offices, departments, and employees.

No supplier shall use the University's computer system, including its electronic mail system and internet site, for the purpose of sending unsolicited electronic mail messages to the University community.

Monitoring and Compliance

- Audits and inspections
 - Suppliers shall conduct audits and inspections to insure their compliance with this Supplier Code of Conduct and applicable legal requirements. If a supplier identifies areas of non-compliance, the supplier agrees to notify the Purchasing Services Department as to its plans to remedy any such non-compliance.
 - The University or its representatives may engage in monitoring activities to confirm the supplier's compliance to this policy, including on-site inspections of facilities, use of questionnaires, review of publicly available information, or other measures necessary to assess supplier's performance.
- Investigations
 - Supplier agrees to cooperate in any University investigations in regards to supplier's compliance to this policy.
- Non-compliance
 - Any University supplier or University employee that becomes aware of violations of this policy is obligated to notify the Purchasing Services Department. Based on the assessment of information made available to the University, the University reserves the right (in addition to all other legal and contractual rights) to disqualify any potential supplier or terminate any relationship with any current supplier found to be in violation of this policy without liability to the University.



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Exceptions

This policy is a general statement of the University’s expectations with respect to suppliers and should not be read in lieu of but in addition to any supplier obligations as set forth in any:

- Request for proposal or other solicitation.
- Agreements by and between the University and the supplier. In the event of a conflict between this policy and any University solicitation document or applicable agreement, the terms of the University solicitation or agreement shall control.

No exclusions are applicable to this policy.

ENTITIES AFFECTED

This applies to University of Pittsburgh suppliers.

STAKEHOLDERS

- Office of the Chief Financial Officer
- University Suppliers

RESPONSIBILITIES

University of Pittsburgh Suppliers

- Comply with applicable University policy
 - Supplier Code of Conduct
- Contact the University of Pittsburgh Purchasing Services Department with any instances of non-compliance with University policy.

Purchasing Services

- Notify suppliers of University policies with which they must comply either directly or through the purchasing processes.

CONTACTS

Subject	Contact	Phone	Email
Noncompliance with Supplier Code of Conduct	Purchasing Services Department	412-624-3578	pantherexpresscs@cfo.pitt.edu

OTHER UNIVERSITY POLICIES, PROCEDURES, AND RESOURCES

Policies

Conflict of Interest and Procurement Relationships, and University Policy	05-02-02
Code of Ethics	05-02-03
Nondiscrimination, Equal Opportunity, and Affirmative Action	07-01-03
Consultant Conflict of Interest	11-01-04



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Procedures

None

Resources

[University of Pittsburgh Schools of the Health Sciences - Industry Relationship Policy](#)

HISTORY

Updated

9/5/17 TEY

2/19/18 TEY, edits regarding gender expression and identity, reference to the Nondiscrimination, Equal Opportunity, and Affirmative Action policy and the University's ability to investigate.