



**IT CONTINGENT LABOR PROGRAM (ITCL)  
CONTINGENT WORKER CODE OF CONDUCT  
10.27.21**

<b>CONTINGENT WORKER CODE OF CONDUCT</b>		
<b>1</b>	<b>CONTINGENT WORKER CODE OF CONDUCT</b>	All contingent workers are expected to provide services and interact with others in a professional, civil manner. Signing this Code of Conduct ensures the contingent worker's commitment to the principles and values set herein while providing services to Authorized Users under the ITCL contract.
<b>2</b>	<b>WHO IS COVERED?</b>	All contingent workers who are providing services to any Authorized User under VITA's ITCL contract are covered by this Code of Conduct. All contingent workers must, comply with the provisions set out in this Contingent Worker Code of Conduct and all laws, rules and regulations applicable to contingent workers.
<b>3</b>	<b>WHO IS A CONTINGENT WORKER?*</b>	The term "contingent worker" is used to describe those involved in work arrangements that differ from regular/permanent, direct wage and salary employment. Contingent work and workers have an explicitly defined or limited tenure and includes those individuals providing both Staff Augmentation and Statement of Work services to an ITCL Authorized User through a staffing/consulting company on a short term, temporary basis.
<b>4</b>	<b>DEFINITION OF ENGAGEMENT MANAGER AND RELATIONSHIP TO CONTINGENT WORKER*</b>	An engagement manager is an employee of the Authorized User who is responsible for engaging a contingent worker for a specific service or required skill, and who is responsible for the presence and

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		administration of that contingent worker in the Authorized User's organization.
<b>5</b>	<b>RELATIONSHIP BETWEEN CONTINGENT WORKERS AND ITCL AUTHORIZED USERS</b>	<p>Any contingent worker performing services for any ITCL Authorized User through the ITCL Contract is a resource of an IT staffing company who has contracted to provide IT services through Computer Aid, Inc. (CAI). Contingent Workers are not Commonwealth of Virginia employees nor are they 1099 self-employed persons to the Authorized User.</p> <p>Some contingent workers may provide services in accordance with a Statement of Work (SOW) issued under the ITCL contract. The SOW captures the work products and services to be delivered under a contract for services between the Authorized User and CAI.</p>
<b>6</b>	<b>WHO ARE AUTHORIZED USERS OF THE ITCL CONTRACT?</b>	<p>Except for telecommunications contracts, all public bodies, including VITA, as defined by §2.2-4301 and referenced by §2.2-4304 and §2.2-2012 of the Code of Virginia. Authorized Users shall include private institutions of higher education that are listed at <a href="http://www.cicv.org/Our-Colleges/Profiles.aspx">http://www.cicv.org/Our-Colleges/Profiles.aspx</a>.</p>
<b>7</b>	<b>COMPLIANCE WITH LAWS, RULES AND REGULATIONS</b>	<p>Contingent workers must comply with all laws, rules and regulations applicable to contingent workers and this Code of Conduct. Contingent workers are accountable for their actions and behaviors at all times while providing IT services to Authorized Users under the ITCL contract.</p>
<b>8</b>	<b>CIVILITY, PROFESSIONAL COMPETENCE AND INTEGRITY</b>	<p>Contingent workers are expected to act with the highest standards of business ethics while providing services to Authorized Users. Contingent workers must not engage in any</p>

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		<p>fraudulent conduct or behavior. The minimum expectations for contingent workers include:</p> <ul style="list-style-type: none"> <li>• Resolve work-related issues and disputes in a professional manner and through established business processes.</li> <li>• Meet or exceed job performance expectations.</li> <li>• Ensure work decisions and related actions are in the best interest of the Authorized User.</li> <li>• Devote full efforts to job responsibilities during work hours.</li> <li>• Demonstrate respect toward coworkers, supervisors, managers and customers.</li> <li>• Use Authorized User's equipment, time and resources judiciously and only as authorized.</li> <li>• Support efforts that ensure a safe and healthy work environment.</li> <li>• Report concerns that may affect work performance including any inappropriate (fraudulent, illegal, unethical) activities of other contingent workers.</li> <li>• Work cooperatively to achieve the Authorized User's goals and objectives.</li> </ul>
<b>9</b>	<b>PROHIBITED CONDUCT</b>	<p>The following conduct is prohibited while providing services for any Authorized User under the ITCL contract: (list is not all inclusive)</p> <ul style="list-style-type: none"> <li>• Discriminatory conduct</li> <li>• Verbal, written or physical harassment</li> <li>• Sexual Harassment or Assault</li> <li>• Misconduct</li> <li>• Illegal or Unethical Behavior</li> <li>• Fraudulent behavior</li> <li>• Any violation of state, federal and local laws and ordinances</li> </ul>

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<p><b>10</b></p>	<p><b>DISCRIMINATORY CONDUCT PROHIBITED</b></p>	<p>Discriminatory conduct is behavior or words that target individuals in protected classes. Discriminatory conduct is demeaning, intimidating or insensitive behavior directed towards individuals based on their characteristics or affiliation with a particular group, class or category. The context of the behaviors, nature of the relationship between the parties, frequency of behaviors and the specific circumstances may be considered in determining whether discriminatory conduct has occurred. Discriminatory conduct also includes the following:</p> <ul style="list-style-type: none"> <li>• Making culturally insensitive remarks or displaying culturally insensitive objects, images or messages</li> <li>• Making demeaning/prejudicial remarks/slurs or attributing certain characteristics based on the group, class or category to which another belongs</li> <li>• Discriminatory conduct includes sexual harassment (defined in #12 below)</li> </ul> <p>Illegal harassment on the basis of race, color, religion, disability, national origin, veteran status, sex (including pregnancy), age, sexual orientation, gender identity, genetic information or any other legally protected classification is prohibited while providing IT services to Authorized Users.</p>
<p><b>11</b></p>	<p><b>PHYSICAL HARASSMENT OR INJURY IS PROHIBITED</b></p>	<p>Physical harassment is a type of workplace harassment that includes physical threats or attacks.</p> <p>Physical harassment may include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Injuring another person physically or threatening to injure another person</li> <li>• Engaging in behavior that creates a reasonable fear of injury to another person</li> </ul>

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		<ul style="list-style-type: none"> <li>• Aggressive behaviors such as pushing, shoving, grabbing, hitting or spitting</li> <li>• Cornering or blocking egress</li> <li>• Physical intimidation such as invading personal space</li> <li>• Stalking</li> <li>• Lewd hand gestures or other gestures meant to convey curse words or inappropriate language</li> </ul>
<b>12</b>	<b>SEXUAL HARASSMENT OR ASSAULT OF ANY TYPE IS PROHIBITED</b>	<p>Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that tends to create a hostile or offensive work environment. Sexual harassment is illegal and will not be tolerated. Sexual harassment includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• Unwelcomed sexual advances, propositions or requests for sexual favors</li> <li>• Unwanted physical contact including touching, rubbing or brushing up against another</li> <li>• Verbal harassment such as suggestive comments, sexual innuendos, and jokes of a sexual nature</li> <li>• Non-verbal conduct such as obscene gestures, leering, whistling, displaying or circulation of suggestive objects or pictures</li> <li>• Aggressive, intimidating or "bullying" conduct directed toward someone because of their gender, sexual orientation or affiliation, even if the behavior is not sexual in nature</li> <li>• Verbal, visual, or physical conduct of a sexual nature</li> <li>• Instances where submission to or rejection of sexual harassment conduct by an individual is used as a basis in making decisions affecting that individual</li> </ul>

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<p><b>13</b></p>	<p><b>VERBAL OR WRITTEN HARASSMENT IS PROHIBITED</b></p>	<p>Verbal harassment means, but is not limited to, the use of derogatory terms or names, undue voice volume, rude comments, orders and responses to individuals. Verbal harassment can include insults, slurs, unwanted “jokes” and hurtful comments. Making obscene phone calls or delivering obscene messages to another person is also considered to be verbal harassment. Written harassment can include sending emails with offensive jokes or graphics about race or religion. Repeatedly requesting attention or sexual favors through text, making derogatory comments about someone’s disability, age, etc. through text, instant messaging (IM), etc. are also examples of written harassment. Written harassment can include publishing jokes or demeaning comments electronically about another person, posting, or discussing sensitive private information about an individual or a class of individuals to others.</p>
<p><b>14</b></p>	<p><b>MISCONDUCT IS PROHIBITED</b></p>	<p>Misconduct is defined as wrongful, improper or unlawful conduct. Misconduct also includes any conduct or actions that are contrary to the Authorized User’s business policies and procedures. (i.e. tardiness, absences without notice, etc.)</p> <p>The following are examples of misconduct:</p> <ul style="list-style-type: none"> <li>• Failure to cooperate during an internal investigation or audit</li> <li>• Intentionally falsifying a report of a Code violation or other violation</li> <li>• Inappropriate use of the Internet, IM and/or Authorized User’s e-mail</li> <li>• Inappropriate access to or disclosure of confidential information</li> <li>• Altering or falsely reporting the number of hours worked</li> <li>• Theft, fraud and/or dishonesty</li> </ul>

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		<ul style="list-style-type: none"> <li>• Failure to follow Authorized User’s health/safety rules any other workplace rules that may result in property loss/damage or injury of self or others</li> <li>• Misuse of Authorized User’s proprietary data, property or name</li> <li>• Access to or use of internet sites, email or social media containing pornographic or offensive material</li> </ul>
<b>15</b>	<b>ILLEGAL OR UNETHICAL BEHAVIOR IS PROHIBITED</b>	<p>Illegal or unethical behavior is defined as 1) violating any law or regulation while in the workplace and 2) behavior that does not conform to acceptable standards of office and business operations.</p> <p>Below are examples of illegal or unethical behavior in the workplace (this list is not all-inclusive):</p> <ul style="list-style-type: none"> <li>• Theft of property or information; or theft through forgery, embezzlement, fraud or deception</li> <li>• Condoning unethical or fraudulent actions of others</li> <li>• Fraud or deliberate deception including acts of deceit, used to obtain or deprive others of money or property to include intellectual property</li> <li>• Wasteful practices that result in unnecessary costs and inefficiencies</li> <li>• Any activities inconsistent with generally accepted business standards that can result in unauthorized benefits to the Contingent Worker</li> </ul>
<b>16</b>	<b>CONFLICTS OF INTEREST ARE PROHIBITED</b>	<p>Conflicts of interests occur when one is in a position to be improperly influenced or appear to be influenced by their private interests while performing a job or providing services. A Contingent Worker will have a conflict of interest if they have a direct, indirect, personal</p>

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		<p>or financial interest in a firm that performs as a subcontractor in the ITCL Program. A conflict of interest may arise when an activity or relationship makes it difficult to perform work in an objective manner. A personal conflict of interest may exist when a contingent worker has divided loyalties – when they may have an interest in a transaction or matter where it may influence actions or decisions made while providing services. Avoid situations where personal or financial interests may conflict, or appear to conflict with the Authorized User’s interests.</p> <p>In the event that a violation of the Conflict of Interests section of the Code of Conduct is reported to the Engagement Manager, the conflict of interest must be immediately rectified or the contingent worker’s engagement will be terminated.</p>
<b>17</b>	<b>CONFLICT OF INTEREST EXAMPLES AND DO’S AND DON’TS</b>	<p>Examples of a contingent worker conflict of interest, or appearance of a conflict of interest (this list is not all inclusive):</p> <ul style="list-style-type: none"> <li>• Personal or financial interests that conflict with providing services for an Authorized User</li> <li>• Financial relationships or potential financial relationships with suppliers that may be participating in procurements.</li> <li>• Participation in governing bodies or political groups while providing services who may have interests or goals inconsistent to an Authorized User.</li> <li>• Accepting or receiving business amenities (gifts, meals, services, entertainment or anything else of value) when doing so creates the appearance of impropriety or undue influence.</li> </ul>



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- Contingent workers may not attempt to influence politicians or public officials on particular laws or issues on the Authorized User’s behalf or appear to represent the Authorized User in political or lobbying activities.

**DO’S REGARDING CONFLICTS OF INTEREST**

- During the onboarding process, Contingent workers must report any known or potential conflict of interest to their employer or Computer Aid.
- Current contingent workers must promptly disclose any potential conflicts of interest to Engagement Manager.
- Contingent workers must remove or recuse themselves from activities, discussions or decision-making processes in which there may be a personal interest or bias.
- When engaged in outside activities, contingent workers must remove or recuse themselves from activities, discussions, or decision-making processes that may conflict with the Authorized User’s interest.
- Contingent workers must consult with their Engagement Manager, or Computer Aid when in doubt of whether a conflict of interest exists.
- Contingent workers should report any known or potential conflict of interest to their Engagement Manager or CAI immediately while performing services for an Authorized User.

**DON’Ts REGARDING CONFLICTS OF INTEREST**

- Do not use the Authorized User’s assets for personal activities

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		<ul style="list-style-type: none"> <li>• Do not allow outside activities or interests to interfere with providing services to an Authorized User.</li> <li>• Do not seek to profit from information, knowledge, or business opportunities learned in the course of providing services to an Authorized User.</li> <li>• Do not attempt to recruit or hire those that you have personal relationships with to avoid the potential of a conflict of interest. To avoid conflicts of interest, relatives or members of the same household may not work under the same Engagement Manager or in a Manager/subordinate close working relationship.</li> <li>• Do not have discussions involving confidential information in public areas where discussions could be easily overheard.</li> <li>• Do not use for your own economic benefit, or that of another party, confidential information that you have acquired through performing services to an Authorized User.</li> <li>• If a contingent worker also has an interest in a company that provides IT resources through the ITCL contract, such contingent worker shall not attempt to recruit or place resources at the agency where they themselves are engaged as a resource.</li> </ul>
<b>18</b>	<b>CONFIDENTIAL AND PROPRIETARY INFORMATION OF OTHERS</b>	<p>Contingent workers are expected to be familiar with and adhere to any specific confidentiality terms agreed to between the Authorized User and CAI. Contingent workers should presume that all information made available to them while performing services to an Authorized User is confidential. Contingent workers must use the utmost care in handling, safeguarding, discussing or transmitting the Authorized User’s confidential information.</p>

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		<p>To protect confidential information:</p> <ul style="list-style-type: none"> <li>• Respect the confidential and proprietary information of others.</li> <li>• If contingent workers have access to any confidential personal information, they must not disclose confidential personal information including wage and salary data, performance reviews, personnel records, medical information, social security numbers, etc.</li> <li>• Never access or share confidential or proprietary information about suppliers or other individuals unless authorized by law or policy or for a valid business reason.</li> <li>• Contingent workers who have access to an Authorized User's electronic environment (internet, email, voicemail or other) shall protect the Authorized User's             <ul style="list-style-type: none"> <li>○ Confidential information and electronic media</li> <li>○ Encrypt or password protect data</li> <li>○ Comply with data protection laws</li> <li>○ Have no expectations of personal privacy on the Authorized User's network at any time</li> <li>○ Must never access or disclose confidential employee or contingent worker information such as benefits, medical claims, financial and personal information</li> </ul> </li> </ul>
<p><b>19</b></p>	<p><b>PROTECTION OF DATA</b></p>	<p>Protected health information (PHI) is defined as health data created, received stored or transmitted by HIPAA-covered entities in relation to the provision of health care. PHI is health care information transmitted by electronic media, maintained in electronic media, transmitted, or maintained in any other form or medium.</p>

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		<p>The following are examples of PHI:</p> <ul style="list-style-type: none"> <li>• Name, birthdate, telephone number of other individually identifiable information (PII)</li> <li>• Medical history</li> <li>• Provider/facility information</li> <li>• Social security number</li> <li>• Medical claim information</li> <li>• Diagnosis codes</li> <li>• Medical record number</li> <li>• Test results</li> <li>• Insurance information</li> </ul> <p>PII is individually identifiable information used by a HIPAA covered entity in relation to healthcare services or payment PII include 18 identities that can be used to identify, contact or locate a person. PII includes name, phone numbers, social security numbers, photographic images and biometric identifiers such as fingerprints.</p> <p>In the event that a contingent worker has access to PHI or PII, the contingent worker must keep all information confidential and secure. Failure to do so should be reported to the Engagement Manager.</p>
<b>20</b>	<b>COMMUNICATIONS</b>	<p>Contingent workers are not authorized to speak on behalf of the Authorized User or represent themselves as employee of an Authorized User. Any contingent worker who is expressing political views orally or in writing must represent that such views are their own and not those of the Authorized User.</p> <p>Contingent workers should be careful NOT to do the following:</p> <ul style="list-style-type: none"> <li>• Use Authorized User's office supplies for any solicitation and distribution activities that are not related to the Authorized User</li> </ul>

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		<ul style="list-style-type: none"> <li>• Do not distribute non-job related materials during work time or in work areas</li> <li>• Post promotions of events, programs that are not work related on Authorized User's bulletin boards or any common areas</li> <li>• Lobbying/contacting elected officials while performing services for Authorized Users</li> <li>• Send email concerning the Authorized User from unsecured email platforms.</li> </ul>
<b>21</b>	<b>SOCIAL MEDIA</b>	Contingent workers are expected to comply with Authorized User's social media policies whenever they access the Authorized User's equipment or networks. Social media policies must also be followed if a contingent worker's social media post identifies their affiliation with the Authorized User. When using social media, a contingent worker must not express any opinion about Authorized Users policies or practices, or disclose any confidential information, etc.
<b>22</b>	<b>HEALTH AND SAFETY</b>	Contingent workers must adhere to Authorized User's safety and health rules and regulations while performing services in the Authorized User's workplace. Contingent workers must comply with all of Authorized User's applicable environmental, safety and health laws, regulations and related policies and procedures. Contingent workers must report any accident sustained on the job or any environmental, safety or health concern. All violations of health and safety rules and regulations and on the job injuries should be reported immediately to the contingent worker's Engagement Manager.

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<b>23</b>	<b>DRUGS AND ALCOHOL</b>	<p>Contingent workers providing services to Authorized Users must do so free from the influence of illegal drugs and alcohol. While performing work for an Authorized User, contingent workers may not consume, use, be impaired by alcohol or illegal drugs, or be under the influence of prescription drugs that impair a person's ability to perform work in a safe and efficient manner. All work premises must remain free of the influence of alcohol, illegal drugs, misused prescription drugs or over the counter medications, or any other substance that may impair the worker's ability to act safely and effectively while at work.</p> <p>In addition, contingent workers must not possess, sell, transfer or purchase any drugs, drug paraphernalia or alcohol while on the Authorized User's premises.</p>
<b>24</b>	<b>SMOKING</b>	<p>In most instances, Authorized Users prohibit smoking in all work areas, restrooms, elevators, conference rooms and rooms containing photocopying or other office equipment used in common. This prohibition applies to lighted cigarettes, cigars, pipes or any other matter or substance that contains tobacco as well as e-cigarettes or "vaping." Contingent workers must follow the Authorized User's smoking policy while on Authorized User's premises.</p>
<b>25</b>	<b>WORKPLACE VIOLENCE OR THREATS</b>	<p>All types of violence, threats, harassment, intimidation, bullying, or other disruptive behavior is prohibited. This includes verbal or written threats of violence. Any conduct that is sufficiently severe, offensive or intimidating to result in any individual becoming reasonably fearful or apprehensive about his or her safety or the safety of his or her family or property is prohibited and must be reported</p>

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		immediately to the contingent worker's Engagement Manager.
<b>26</b>	<b>WEAPONS, FIREARMS OR INCENDIARY DEVICES</b>	Any contingent worker who brings a weapon, firearm or incendiary device onto the Authorized User's premises, even if the worker has a permit to carry a concealed weapon, will be automatically terminated. No contingent worker may carry, use or store any type of weapon while on Authorized User's work site. The term "weapons" includes firearms, ammunition, explosives, and any other type of tool or object that may be used as a weapon.
<b>27</b>	<b>PROTECTION AND USE OF AUTHORIZED USER'S ASSETS</b>	Contingent workers must use the Authorized User's assets, resources or equipment, including computers and information systems solely for the Authorized User's business purposes. Contingent workers may not use Authorized User's resources in violation of the law and must not allow other people, including friends and family, to use Authorized User's resources. Contingent workers must also avoid any usage that might lead to loss or damage, including the introduction of viruses or a breach of the Authorized User's security policies. Theft or unauthorized possession/use of the Authorized User's assets is strictly prohibited. The Authorized User has the right to review, copy, audit, investigate, intercept, access and disclose any use of the computer, email, instant messaging, and telephone and internet systems including messages created, received or sent for any purpose. Contingent workers have no expectation of personal privacy in any messages or records created, transmitted or stored by means of Authorized User's systems. Specifically, Authorized User's assets may not be used to create, transmit, store, copy or

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		<p>display messages, images or materials that are:</p> <ul style="list-style-type: none"> <li>• For personal gain</li> <li>• Solicitations</li> <li>• Chain letters</li> <li>• Threatening, pornographic, sexually explicit, harassing, demeaning or otherwise offensive records of any type.</li> </ul> <p>COMPUTER SOFTWARE: copyright laws and purchase agreements that safeguard the software manufacturer's investment and work product protect most software. Contingent workers should never install, download or copy to any software (including from the internet) without pre-approval from the Authorized User.</p>
<b>28</b>	<b>RECORDS RETENTION</b>	<p>Contingent workers must retain, retrieve or destroy all records in strict compliance with the law and the Authorized User's Records Retention Policy. Records must be stored and maintained in accordance with the Authorized User's Record Retention Policy and records may not be destroyed before the Authorized User's prescribed retention period has expired. Contingent workers must not alter or destroy records of any kind without permission of the Authorized User.</p>
<b>29</b>	<b>REPORTING VIOLATIONS OF THIS CODE OF CONDUCT</b>	<p>If a contingent worker fails to abide by this Code of Conduct, the Authorized User may terminate the contingent worker's engagement at any time. The contingent worker may also be prohibited from providing future services to Authorized Users under the ITCL contract. If any contingent worker violates the law, the Authorized User may contact appropriate law enforcement authorities. Contingent workers also have an obligation to report any known violations of</p>



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		<p>this Code of Conduct immediately to the Engagement Manager. Contingent workers should always act honestly and in good faith when reporting violations to this Code of Conduct. If a contingent worker fails to report a violation, that failure also violates the Code of Conduct.</p> <p><b>All violations should be reported to the Contingent Worker’s Engagement Manager. Any decisions made by the Engagement Manager concerning a contingent worker’s violation of this Code of Conduct and/or the Contingent Worker’s dismissal are final.</b></p>
<b>30</b>	<b>RETALIATION PROHIBITED</b>	<p>Retaliation occurs when a contingent worker reacts to a complaint of alleged wrongdoing or misconduct made by another person. Retaliation is meant to discourage someone from making or supporting a charge of wrongdoing or misconduct in the workplace. Retaliation can also refer to any significant change in the way one is treated after one makes a good faith report of misconduct, wrongdoing or one participates in an investigation of misconduct or wrongdoing.</p> <p>Retaliation may look like the following (this list is not all inclusive):</p> <ul style="list-style-type: none"> <li>• Exclusion from decisions, meeting or work activities</li> <li>• Verbal abuse, derogatory comments, increased scrutiny or intimidation by others in the workplace</li> <li>• Relocation, reassignment or diminution of job responsibilities</li> </ul> <p>Contingent workers are prohibited from participating in any type of retaliatory</p>

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		behavior towards anyone that has reported a violation of this Code of Conduct.
<b>31</b>	<b>CONTINGENT WORKERS WHO ARE ALSO STAFFING PROVIDERS UNDER THE ITCL CONTRACT</b>	Contingent workers who provide services under the ITCL contract and have a direct, indirect, personal or financial interest in their staffing firm may not solicit or conduct IT staffing business while providing services to an Authorized User. They also must not advertise or sell their services or the services of another contingent worker to Authorized Users where they are engaged as a resource/contingent worker.
<b>32</b>	<b>CONTINGENT WORKER WHO IS PERFORMING WORK REMOTELY</b>	Any contingent worker who is providing services to an Authorized User remotely must continue to operate in a responsible, professional manner and meet all the same expectations of the Authorized User as if the contingent worker was working on the Authorized User's premises.
<b>33</b>	<b>CONTINGENT WORKER CONSEQUENCES FOR VIOLATION OF THIS CODE OF CONDUCT</b>	Once a violation of the Code of Conduct is reported to the Engagement Manager, the Engagement Manager may terminate the contingent worker's engagement at any time for any violation. Any termination decisions made by the Engagement Manager are final.

**I hereby agree that I will provide services to the Authorized User in conformance with the Code of Conduct above.**

**SIGNATURE OF CONTINGENT WORKER:**

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Note: Definitions that have an \* are taken from Staffing Industry Analyst's "The Lexicon".