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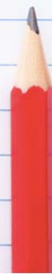
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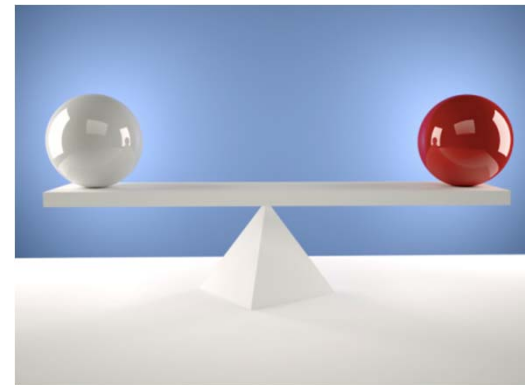
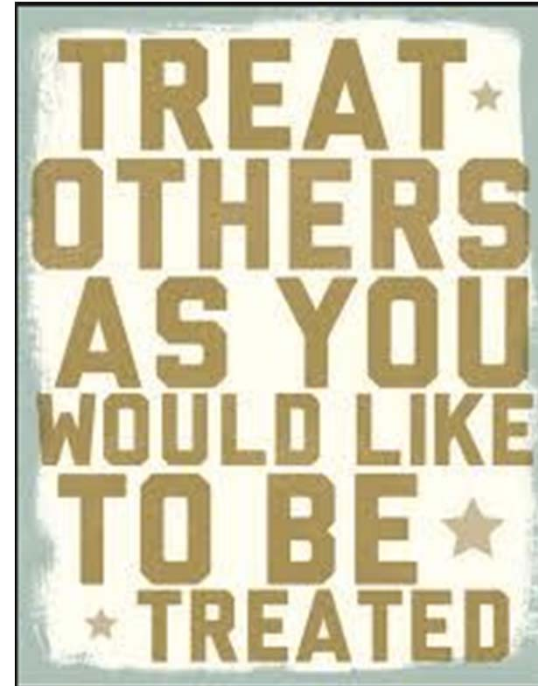
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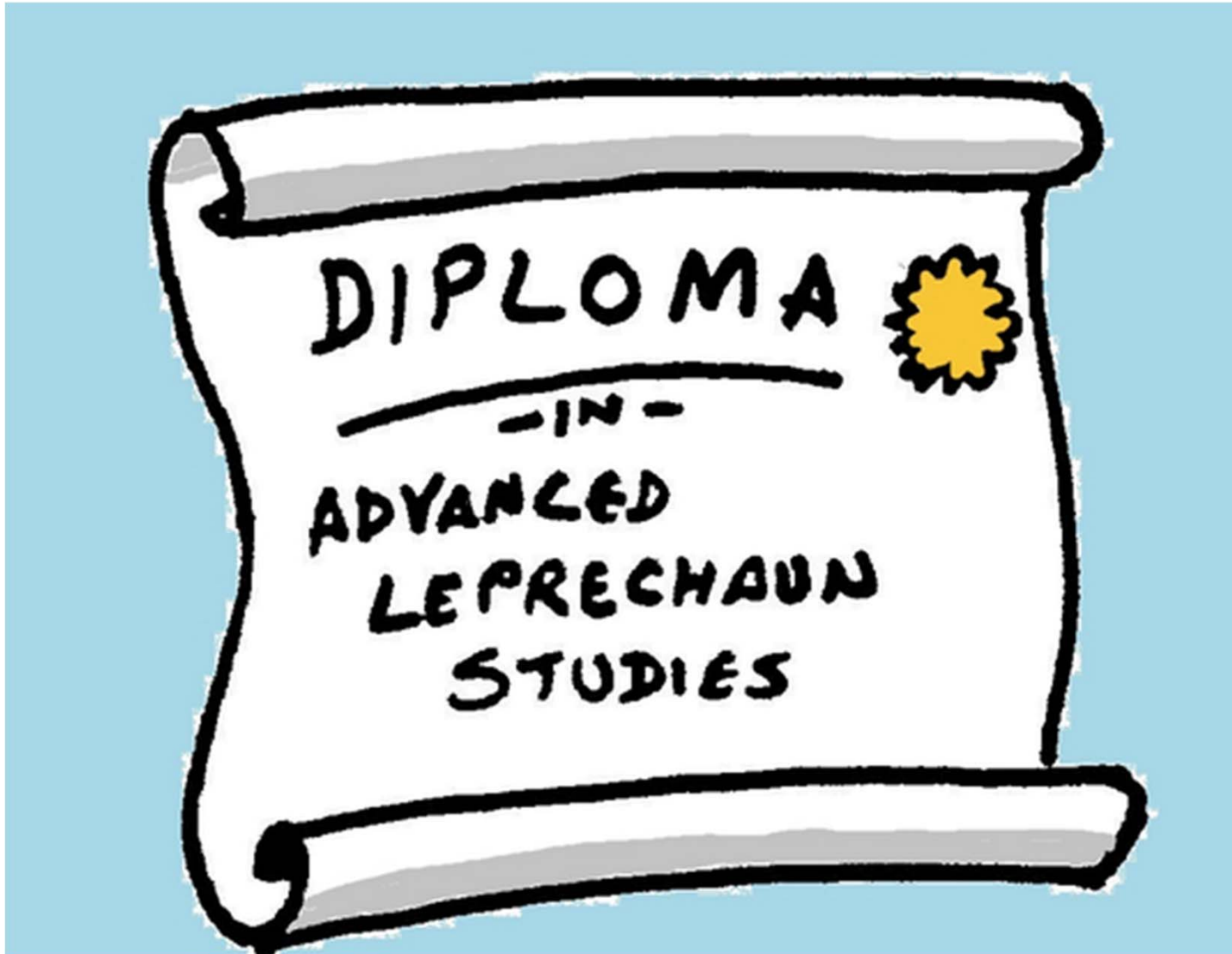
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Ethical Tests For a Business Decision



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Mary has applied to work for you. On her LinkedIn profile, she indicates that she is an APA, but the credential is not listed on her resume. She has exactly the right experience you need for the position, and a credential is not required, although it is preferred for the job. How do you handle the following answers to your question about the credential on LinkedIn vs. her resume:

- She has passed all of the exams and has the necessary experience. She didn't apply because her employer would not pay her dues.
- She was an APA, but she let her credential lapse because she was out of the business for a few years raising her children and didn't pay dues or get the required CPE.
- She is an APA, but her membership has been suspended for two years due to a disciplinary matter.

You are on a zoom happy hour as part of a national conference and one of the participants congratulates on your latest hire who is a person well-known and well-liked in the industry.

You receive a private chat message from a colleague on the call that says “Hey thought you should know... I worked with him previously and he always got really wasted at parties. When he went to the Colorado conference, his condo was the place to go for edibles and shots. There were many Mondays where he reported in sick.”



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The plan's HR person is the office manager (and the owner's aunt) who is close to retirement age.

Recently, she has been sending incorrect census information. When you ask her about it, she doesn't seem to understand what you are asking for. Some days she is not clear on who you are.

The owner calls you to complain that you are harassing his aunt, and that he will consider moving the plan if you cannot work with her as his office manager.

The plan sponsor of a balance forward profit sharing plan that is valued annually has laid off 20% of their employees. All of the affected employees are 20% vested under the plan's schedule.

The owner wants to pay them out ASAP and instructs you to do an interim valuation. She also tells you that she is likely to have to terminate the plan if business does not get better soon.

The Boudreaux Co. sponsors a cross-tested SH 401(k) plan designed to benefit the owner, John Boudreaux.

You are taking over the plan, and when you review the previous years' valuations and tests, you notice that there are two employees with the last name of Boudreaux who not highly compensated. The passing test relies heavily on these two employees under 30. Previous year end data requests show the highly compensated and family member sections as blank.

When you ask John about the the employees, he is somewhat evasive and says that there a lot of people in south Louisiana named Boudreaux.

When you google the company and John, the two Boudreauxs appear to be John's children.

A plan sponsor received safe harbor (top-heavy 401k plan with SH match) and QDIA notices timely before the end of the plan year.

The office manager calls you in April to ask for help. Several new employees have been hired in the last two years and none of them are deferring into the plan. The employees said they never received enrollment information or notices about the SH match or QDIA.

She asked the owner about the notices and enrollment, and he said that he took care of it. She also tells you that she also overheard a conversation between the two owners. They said that the contributions to the plan for plan participants would be “as close to zero as we can make them. After all, this plan is really for our benefit.”

You get a phone call from an advisor who has several plans with you saying they also have a block of retirement plans client with ABC TPA who is a friendly competitor of your firm. The advisor is unhappy with ABC's services and is moving the block to your firm. You know the ABC people well from your work together on the local ASPPA ABC.

The main administrator contact for the advisor at ABC told him confidentially that the ABC firm owner signed several cash balance plan documents on behalf of clients to meet the 7/31 deadline.

In the same confidential conversation, the administrator says that her 401(k) deferrals have not been deposited for the three payroll periods. The advisor verifies this with the current recordkeeper since he is the advisor on the plan.

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You are notified that a colleague has just been promoted to a senior management position instead of you. Both of you applied and interviewed for the position. Under the new structure, you will be reporting to him.

Three years ago, you were at a team Christmas party at a co-worker's house, where everyone was having plenty of adult beverages. When you went outside for some fresh air, he followed you and forced you into a dark corner of the yard. He forcibly kissed you and put his hands in more than one inappropriate place. You left the party shortly thereafter and have not told anyone since then.

You have been promoted to a team lead position and there is an open position for you to fill. You are working with HR on their diversity and inclusion initiatives, and you are fortunate to have several diverse and qualified candidates to interview.

One of the candidates admits that he that is worried about joining your team because he seen on Facebook that one of the administrators on your team consistently complains about “minorities” getting preferred treatment at the company.



2130 x 2375

You went to the grocery store wearing your mask inside the store. You took it off when you were just outside the store.

Unknown to you, a co-worker took a picture of you without your mask as you exited out the grocery doors.

She posted it on Instagram with the tag “anyone we know from [your employer]?”

One of her friends posted a comment with your name and your address.

You are on a video one-on-one call with Bill, a newly hired administrator. You have been on a group video call previously with him where his home office background was a generic photo from the video call website.

On this call, you can see what appears to be his actual working space. On the bookcase behind him are two very visible photos – one of his wife in a very skimpy bikini and another of what appears to his teen kids outside on a family camping trip making obscene gestures outside their tent.

You are on a video group call with a plan sponsor client and his advisor. The advisor clearly thinks he is on mute when he turns around to talk to someone else in his home.

The advisor says, “I will be there as soon as I am off this call. [Your name] who is on this call is so stupid. I can’t wait to until they tell [your name] that she is going to be laid off!”