

Ethics Policy

DRAFT for Board approval on April 11, 2007

Statement of Policy: Individuals acting on behalf of CMAP have a general duty to conduct themselves in a manner that will maintain and strengthen the public's trust and confidence in the integrity of CMAP.

Statement of Purpose: This policy is to establish guidelines for professional conduct by those acting on behalf of CMAP and to ensure that all CMAP employees work with integrity and effectiveness. It is not intended to define specifically what one should and should not do, but to communicate CMAP's expectations of proper conduct and what professional conduct CMAP values.

Statement of Procedure:

Conduct

With regard to professional conduct, those acting on behalf of CMAP should practice:

1. Integrity by maintaining an ongoing dedication to honesty and responsibility;
2. Trustworthiness by acting in a reliable and dependable manner;
3. Evenhandedness by treating others with impartiality;
4. Respect by treating others with civility and decency;
5. Stewardship by exercising custodial responsibility for CMAP and resources;
6. Compliance by following state and federal laws and regulations and CMAP policies related to their duties and responsibilities;
7. Confidentiality by protecting the integrity and security of CMAP information such as personnel records, employee files, and contract negotiation documents.

Conflicts of Interest

An appointee to a board, commission, authority or task force cannot have or acquire a contract or a direct pecuniary interest in a contract with CMAP that is related to the board, commission, authority or task force on which they sit.

Prohibited Political Activities

A CMAP employee cannot participate in any of the following activities during work time. If an employee want to engage in any of these activities during work hours, vacation time must be requested and approved. An employee may never engage in any of these activities using work facilities (such as CMAP office telephones, CMAP cell phones, photocopiers, or computers).

1. Prepare for, organize, or participate in any political meeting, political rally, political demonstration, or other political event.
2. Solicit contributions, including but not limited to purchasing, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Solicit, plan the solicitation of, or prepare any document or report regarding anything of value intended as a campaign contribution.
4. Plan, conduct, or participate in a public opinion poll in connection with a campaign for elective office, on behalf of a political organization for political purposes, or for or against a referendum.
5. Initiate, prepare, circulate, review or file a petition.

Prohibited Offer or Promise

A CMAP employee cannot promise anything of value related to CMAP in consideration for personal gain.

Ban on Gifts from Prohibited Sources

Except as identified below, no CMAP officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to as “recipients”), shall intentionally solicit or accept any gift from any prohibited source. No prohibited source shall intentionally offer or make a gift that violates this section. A “gift” means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment of the official position of an officer or employee. A “prohibited source” means any person or entity who: (1) is seeking official action by an officer or by an employee, or by the officer or another employee directing that employee; (2) does business or seeks to do business with the officer or with an employee, or with the officer or another employee directing that employee; (3) conducts activities regulated by the officer or by an employee, or by the officer or another employee directing that employee; or (4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

The prohibition of gifts from prohibited sources is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the officer or employee, or his or her spouse or immediate family, pays the fair market value.
3. Any contribution that is lawfully made under the Election Code or activities associated with a fundraising event in support of a political organization or candidate.

4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this policy, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. For the purposes of this policy, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed above is mutually exclusive and independent of each other.

An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered or succeeded.

Revolving Door

Contract Decision-makers

If within six months' before leaving CMAP employment, a CMAP employee participated personally and substantially in the decision to award CMAP contracts with a cumulative value of over \$25,000 to a person, entity, its parent or subsidiary, that CMAP employee cannot knowingly accept employment or receive compensation or fees for services from that person, entity, or parent or subsidiary for six months.

Regulatory or Licensing Decisions

If within six months' before the end of CMAP employment, a CMAP employee made a regulatory or licensing decision that directly applied to a person, entity, its parent or subsidiary, that CMAP employee cannot knowingly accept employment or receive compensation or fees for services from that person, entity, or parent or subsidiary for six months.

Contract Services

Upon termination from CMAP employment, a CMAP employee may not participate in any contract services with CMAP either as an individual or as an entity within six months after the termination.

Ethics Advisor

The administrative principal is designated as the Ethics Advisor for CMAP. The Ethics Advisor shall provide guidance to the officers and employees of CMAP concerning the interpretation of and compliance with the provisions of the ethics policy and the State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the CMAP executive director or board of directors.