

Employee Code of Conduct

I. Declaration of Policy

District officers and employees are public servants and, as such, are expected to be impartial and responsible in fulfilling the public trust placed in them. The public expects and must receive the highest standard of ethical conduct from all those in public service, regardless of personal considerations. District officers and employees are expected to demonstrate the highest standards of personal integrity, honesty, and truthfulness in all their public activities in order to inspire public confidence and trust in the District.

II. Scope

This policy is for use by and applicable to all District officers and employees.

III. Responsibilities of Public Service

District officers and employees are bound to observe, in their official acts, the highest standards of integrity and to discharge faithfully the duties of their offices, recognizing that the lives, safety, health, and welfare of the general public must be their primary concern. Their conduct in both their official and private affairs should be above reproach to assure that their public office is not used for personal gain.

IV. Professional Conduct

District employees shall conduct the District's business in compliance with the law, this Code of Conduct, District policies, and good judgment.

- A. They shall not commit any act which may bring reproach or discredit upon the District.
- B. Speech or behavior that is likely to create an appearance of impropriety is to be avoided.
- C. Employees shall not involve themselves in altercations or any other act of hostility with the public or other employees, nor will they engage in acts which will subject the District to criticism or adversely affect the interests of the District.
- D. It is up to each employee to maintain a professional, safe, and productive environment.
- E. Employees shall treat each other and the public professionally and with courtesy at all times.

- F. At the direction of the General Manager, employees shall provide relevant and necessary information, in a timely manner, to members of the Board of Directors to assist them in the performance of their duties.

V. **Conflict of Interest**

This Code of Conduct incorporates the prohibitions of California law concerning conflicts of interest. Among them is the prohibition against officers and employees being “financially interested in any contract made by them in their official capacity” (Government Code Section 1090, *et seq.*) and the prohibitions and reporting requirements of the Political Reform Act of 1974. This includes the prohibition against officers and employees making, participating in, or using their position to influence governmental decisions in which they have a reason to know they have a financial interest. This Code of Conduct also incorporates the Federal Transit Administration’s (FTA) prohibitions concerning real or apparent conflicts of interest on the part of officers and employees who participate in the selection, award, or administration of contracts supported by federal funds. Such a conflict would arise when any of the following parties has a financial or other interest in an entity selected for award of a contract supported by federal funds: the officer or employee, or any immediate family member, partner, employer, or organization that intends to employ the officer or employee.

Further, this Code of Conduct requires that department managers, as well as officers and employees involved in the award and administration of contracts, review the proposed scope of work of their contracts and bring any potential “organizational conflicts of interest” to the attention of the Contract Management Division. An organizational conflict of interest occurs when any of the following circumstances arise:

- A. The contractor is unable, or potentially unable, to provide impartial and objective assistance or advice to the District due to other activities, relationships, contracts, or circumstances;
- B. The contractor has an unfair competitive advantage through obtaining access to non-public information during the performance of an earlier contract; and/or
- C. During the conduct of an earlier procurement, the contractor has established the ground rules for a future procurement by developing specifications, evaluation factors, or similar documents.

Lastly, employees shall not communicate with Board members regarding a procurement before the staff recommendation for award of the contract, agreement, or vendor selection is made public, unless the General Manager has designated the employee to speak with the Board member before the staff recommendation for award is made public. If the procurement involves property development, the Department Manager of Real Estate and Property Development shall serve as the General Manager’s designee in relation to matters with the Board.