

## **ETHICS RULES FOR CDTA EMPLOYEES**

This Code of Ethics is based upon the Public Officers Law and the Procurement Lobbying Law and shall apply to all employees of the Capital District Transportation Authority and its subsidiaries ("CDTA"). These CDTA specific principles are intended to enhance the ethical and professional performance of CDTA's employees and to preserve public confidence in CDTA's mission.

### **CODE OF ETHICS:**

- a.** Employees must not engage in outside activities, including other employment, which could impair independence of judgment, or prevent the proper exercise of one's official duties.
- b.** Employees must not accept employment, business or professional activity that makes use of confidential information obtained while working at CDTA.
- c.** Employees must not disclose confidential information acquired in the course of their official duties nor use such information to further personal interests.
- d.** Employees must not use or attempt to use their official position to secure gifts, unwarranted privileges or exemptions for themselves or others.
- e.** Employees must not accept gifts having more than a nominal value from a disqualified source including an individual or non-governmental entity that does business with CDTA.
- f.** Employees must not do business with any contractor or vendor in which they have a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of their official duties.
- g.** Employees must avoid giving the impression that anyone could improperly influence or improperly favor any contractor in the performance of their official duties.
- h.** Employees must avoid giving the impression that they are improperly affected by the kinship, rank, position or influence of any party or person.
- i.** Employees must not make personal investments with businesses or contractors that could reasonably taint CDTA decisions or processes, or create a conflict of interest with their duties at CDTA.
- j.** Employees must pursue a course of conduct that will not raise suspicion among the public that they are likely to be engaged in acts that are in violation of their public trust.
- k.** Employees must not sell goods or, services to any person, firm, corporation or association which is licensed by or, whose rates are fixed by CDTA.
- l.** Employees must use CDTA property, including equipment, telephones, vehicles, computers, or other resources in the course of their official duties and in a manner consistent with State or local law, and any applicable policies of the CDTA.

- m. Employees are prohibited from appearing or practicing or rendering services for compensation on matters before the Authority for two (2) years following employment with the CDTA.
- n. Employees must report all contacts concerning CDTA procurements to the Ethics Officer.
- o. Employees must report potentially unethical behavior by any employee of the CDTA to the Ethics Officer. Employees may file ethics complaints anonymously and are protected from retaliation by the policies adopted by the CDTA.
- p. Certain employees must not engage in certain political activities.

**DEFINITIONS:**

- 1. Financial Interest** - A person has a financial interest in any entity if such person owns or controls (i) 10% or more of the stock of such entity or (ii) if such entity's stock regularly trades on an established securities exchange, then 1% or more of such stock.
- 2. Gift** - means the transfer, without equivalent consideration, of any thing or benefit, tangible or intangible, having more than a nominal value, including, but not limited to, loans, forbearance, services, travel, gratuities of any kind, favors, money, meals, refreshments, entertainment, hospitality, promises, tickets to entertainment or sporting events, weekend trips, golf outings, loans of equipment, or other thing or benefit.
- 3. Vendor or Contractor** – means any individual or entity seeking to or doing business with the CDTA.
- 4. Contacts** – means any oral or written contact, where it could be reasonably inferred that such contact was intended to influence, or could reasonably be expected to influence, any procurement of the CDTA. This includes, but is not limited to, personal meetings, telephonic communications, letters, faxes and e-mails.
- 5. Honoraria** – means a payment, fee or other compensation for services rendered by the employee not related to the employee's official duties, which payment, fee or other compensation is made as a gratuity, or as an award or honor. For example, honoraria could consist of an award or money given in return for delivering a speech, writing or authoring an article or publication or attending a meeting or conference. In addition, honoraria include travel expenses or reimbursement of travel expense, including lodging, for services rendered by an employee that are not related to the employee's official duties.
- 6. Travel Expense** – means an expense related to travel, including, but not limited to, airfare, meals and lodging related to the employee's official duties.

**PROCEDURES:**

1. All outside employment or any other activity that may create a conflict of interest must be approved by the Executive Director prior to the acceptance of such activity. All requests for such outside activity approval must be submitted in writing to the Ethics Officer.
2. Employees seeking to engage in political activity should seek detailed guidance from the Ethics Officer.
3. Any acceptance of Gifts or Honoraria must be approved by the Ethics Officer prior to acceptance.
4. Travel Expense reimbursement from a source other than the CDTA must be approved by the Ethics Officer prior to acceptance.
5. Any questions or concerns regarding the Code of Ethics or this Policy should be directed to the Ethics Officer for clarification.

**REQUIRED REPORTING:**

You are required by the law and regulations to report any and all solicitations, offers or acceptance of gifts, honoraria, outside business activity, conflicts of interest, or procurement contacts. Such reports should be made to the ethics officer.

**VIOLATIONS:**

In addition to any criminal or civil penalty contained in any law, employees who knowingly and intentionally violate any provision of this policy may be fined, suspended or terminated from employment.