

# Development Authority of the North Country

## Governance Policies



**Subject: Ethics Policy**

**Adopted: October 22, 2015**

**Resolution: 2015-10-102**



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### Ethics Policy

#### SECTION 1.0 INTRODUCTION

**1.1** This Ethics Policy (“Policy” or “Code of Ethics”) of the Development Authority of the North Country (“Authority”) applies to all Board Members and to all employees (including Officers) of the Authority, whether full time, part time, under contract, on probation, or temporary. This Policy serves as a guide for official conduct and is intended to enhance ethical and professional performance while preserving public confidence in the Authority's mission.

#### SECTION 2.0 RESPONSIBILITIES OF BOARD MEMBERS AND EMPLOYEES OF THE AUTHORITY

- 2.1** Board Members and employees shall perform their duties with transparency, without favor and refrain from engaging in outside matters of financial or personal interest, including other employment, that could impair independence of judgment, or prevent the proper exercise of official duties.
- 2.2** Board Members and employees shall not directly or indirectly, make, advise, or assist any person to make any financial investment based upon information available to Board Members or employees through their official positions that could create any conflict between their public duties and interests and their private interests.
- 2.3** Board Members and employees shall not accept or receive any gift or gratuities where the circumstances would permit the inference that: (a) the gift is intended to influence the individual in the performance of official business or (b) the gift constitutes a tip, reward, or sign of appreciation for any official act by the individual. This prohibition extends to any form of financial payments, services, loans, travel reimbursement, entertainment, hospitality, thing or promise from any entity doing business with or before the Authority.
- 2.4** Board Members and employees shall not use or attempt to use their positions with the Authority to secure unwarranted privileges for themselves, members of their families or others, including employment with the Authority or contracts for materials or services with the Authority.
- 2.5** Board Members and employees must conduct themselves at all times in a manner that avoids any appearance that they can be improperly or unduly influenced, that they could be affected by the position of or relationship with any other party, or that they are acting in violation of their public trust.

- 2.6** Board Members and employees may not engage in any official transaction with an outside entity in which they have a direct or indirect financial interest that may reasonably conflict with the proper discharge of their official duties.
- 2.7** Board Members and employees shall manage all matters within the scope of the Authority's mission independent of any other affiliations or employment. Board Members, including ex officio Board Members, and employees employed by more than one government or governmental agency shall strive to fulfill their professional responsibility to the Authority without bias and shall support the Authority's mission to the fullest.
- 2.8** Board Members and employees shall not use Authority property, including, but not limited to, equipment, telephones, vehicles, computers, or other resources, or disclose information acquired in the course of their official duties in a manner which is inconsistent with State or local law or policy, or the Authority's mission, goals or policies.
- 2.9** Board Members and employees are prohibited from appearing or practicing before the Authority for two (2) years following employment with the Authority, consistent with the New York Public Officers Law.

### **SECTION 3.0 IMPLEMENTATION OF THIS ETHICS POLICY**

- 3.1** This Ethics Policy shall be provided to all Board Members and employees upon the commencement of employment or appointment and shall be reviewed annually by the Authority's Governance Committee. Board Members and employees, from time to time, shall also be provided with additional information related to official conduct and professional/ethical performance as the Authority's Governance Committee or Ethics Officer deems appropriate.
- 3.2** The Authority has designated its Compliance Officer to serve as the Authority's Ethics Officer. The Authority's Ethics Officer reports to the Executive Director and the Authority's Governance Committee and has the following duties:
- Counsel in confidence with Authority Board Members and employees who seek advice about ethical or professional behavior.
  - Receive complaints, forward complaints to the Executive Director, and assist the Executive Director in the investigation of complaints about possible ethics violations. In instances where a complaint involves alleged conduct of the Executive Director, the complaint shall be forwarded by the Ethics Officer to the Authority's Governance Committee, which shall conduct the investigation with the assistance of the Ethics Officer.
  - In conjunction with the Executive Director (or, in instances where a complaint involves alleged conduct of the Executive Director, in conjunction with the Governance Committee), dismiss complaints found to be without substance.

- Prepare an investigative report of findings for referral to and action by the Executive Director (or, in instances where the complaint involves conduct of the Executive Director, by the Authority's Governance Committee).
- Record the receipt of Gifts received by any Board Member or employee. Board Members and employees who receive Gifts shall notify the Ethics Officer within 48 hours of receipt of the Gift.

#### **SECTION 4.0 PENALTIES**

**4.1** In addition to any penalty contained in any other provision of law, an Authority Board Member or employee who knowingly and intentionally violates any provisions of this Policy may be removed in the manner provided for in law, rules or regulations.

#### **SECTION 5.0 REPORTING UNETHICAL BEHAVIOR**

**5.1** Employees and Board Members are required to report possible unethical behavior by a Board Member or employee of the Authority to the Ethics Officer. Employees and Board Members may file ethics complaints anonymously and are protected from retaliation by the policies adopted by the Authority, including the Authority's Whistleblower Policy and Procedures.

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