

# **INTERNAL ETHICS AND COMPLIANCE POLICY**

1. The (*ex...General Manager, Director, HR Manager, Police Chief, Sheriff*) are charged with monitoring compliance within (AGENCY NAME) and taking appropriate action in response to compliance related complaints. These employees, along with the Comptroller are responsible for oversight of financial reports and establishing and maintaining an adequate internal control structure with appropriate checks and balances.
2. All possible steps are taken to avoid the delegation of substantial discretionary authority to an individual, whom the organization knows or should know, have previously engaged in illegal activities by conducting criminal background checks upon hire and randomly throughout an individual's employment with the organization.
3. All steps are taken to ensure that compliance standards are effectively communicated to all employees by requiring participation in training and by distributing information that explains the requirements of (AGENCY NAME) Internal Ethics and Compliance Policy. A copy of the Ethics and Compliance Policy, including any amendments and all related documents are made available to all employees. Training will be held during orientation and annually thereafter. All employees and Council members participate in annual training in ethics and in the compliance program and ethical behavior and each person will sign a document acknowledging their receipt and understanding of the policy's requirements and on ethical behavior generally.
4. All agents of the organization will receive a copy of the Ethics and Compliance Policy and its expectation of ethical behavior and compliance with the law through distribution of written materials, electronic communication or verbal communication.
5. (*Ex...Monthly, Quarterly, Annual*) internal audits are conducted along with other risk evaluations to monitor compliance and assist in the reduction of identified problem areas.

6. It is the entity's desire to identify and address incidents of misconduct in an expeditious manner by encouraging employees to spot and report potential compliance issues to management. If an employee is uncomfortable in reporting directly to management, employees can and are encourage to use the entity's Ethics and Compliance hotline **(855) XXX-XXXX** to make reports anonymously. Reports made through the hotline are handled confidentially. Employees who report suspected non-compliance with law or unethical behavior can do so without fear of retaliation.
  
7. Any employee who violates the entity's ethics policy or Internal Compliance Program shall be subject to disciplinary action, as well as applicable civil or criminal penalties. The (*ex...General Manager, Director, HR Manager, Police Chief, Sheriff*) shall be responsible for periodically assessing the risk of criminal misconduct within the organization.
  
8. The General Manager or assigned supervisor will mitigate any identified non-compliance immediately. In an effort to prevent future violations, policies will be reviewed and revised when needed to ensure the issue is addressed programmatically and employees will be trained on the policy revision(s) to ensure their understanding of organizations' expectations.

# **CODE OF CONDUCT**

## **Introduction:**

This policy prescribes the standards of ethical conduct for all employees of \_\_\_\_\_. All employees must familiarize themselves with this policy. All employees must abide by applicable federal and state laws, administrative rules, and this ethics policy. An employee who violates any provision of this conduct policy is subject to disciplinary action up to and including termination. An employee who violates any applicable federal or state law or rule may be subject to civil or criminal penalties in addition to any disciplinary action.

All employees shall perform their official duties in a lawful, professional, and ethical manner; practice responsible stewardship of organizational resources, and report any conduct or activity that they believe to be in violation of this policy. Employees shall not knowingly make false or misleading statements, oral or written, in the course of the conducting of \_\_\_\_\_ business. Employees shall not disclose confidential or sensitive organizational business information without prior written authorization.

## **1. Record Retention**

\_\_\_\_\_ is committed to proper maintenance and retention of records. Records are defined broadly to include almost any type of business information, and the required retention period varies with the type of record. Falsifying records, deliberately concealing records, destroying records in bad faith, exploiting confidential information, or otherwise mishandling records is not acceptable.

Records management includes the application of management techniques to the creation, use, maintenance, retention, preservation and disposal of records for the purpose of reducing the cost and improving the efficiency of recordkeeping.

\_\_\_\_\_ will follow the standards contained in \_\_\_\_\_ Records Retention Policy.

When a lawsuit is filed or is reasonably anticipated to be filed against \_\_\_\_\_, or when an internal or governmental investigation is initiated, we must ensure that all information potentially relevant to the suit or investigation is preserved. Records will not be altered, concealed, or in any way destroyed that are potentially relevant

to a suit or investigation. Steps must be taken to ensure potentially relevant information is not inadvertently destroyed pursuant to document retention schedules or by routine computer operations or common computer settings, such as the automated deletion of emails.

## **2. Fraud**

Fraud is broadly defined, and may include any type of intentional deception for the purpose of personal or business gain or damage to an individual or organization. Examples of fraud include lying on an employment application, falsifying records, or providing false receipts for reimbursement from \_\_\_\_\_.

Employees must be good stewards of resources entrusted to them and exercise due diligence to prevent and detect criminal conduct and non-compliance with laws and policies. Fraud, waste, abuse, or non-compliance must be reported to an appropriate supervisor, manager, or through the toll free Fraud Hot Line. Engaging in acts of fraud may result in civil or criminal liability.

## **3. Equal Opportunity Employment**

\_\_\_\_\_ utilizes an Equal Opportunity Employment policy which promotes and ensures equal employment opportunity for all persons regardless of race, color, disability, religion, national origin, or age. Discrimination has no place at \_\_\_\_\_ and will not be tolerated.

## **4. Sexual Harassment and Sexual Misconduct**

\_\_\_\_\_ Sexual Harassment Policy does not tolerate any form of sexual harassment in the workplace. Sexual harassment may include sexual advances, sexual solicitation, request for sexual favors, or other verbal or physical conduct of a sexual nature.

Sexual misconduct includes behavior that is short of sexual harassment, but nonetheless is unprofessional and inappropriate. Sexual misconduct is not permitted. All employees will treat one another and the general public with professionalism, respect, and fairness. Employees must conduct themselves with courtesy and restraint at all times on the job and whenever perceived to be representing \_\_\_\_\_.

If an employee believes they are being subjected to sexual harassment or sexual misconduct by any person in the workplace, or if they witness any incident that appears to be a violation of the sexual harassment and sexual misconduct policies, it must be reported to the appropriate supervisor/manager. Alternatively, if the subject

of the complaint is a supervisor/manager the complaint can be made to the General Manager or the Regional Human Resources Director. A full, complete, and confidential investigation will be conducted and appropriate action taken to correct the matter. Employees who report sexual harassment are protected from any form of retaliation by state and federal laws.

Supervisors or managers who receive reports of sexual harassment or sexual misconduct must report the complaints to the General Manager and the Regional Human Resources Manager regardless of the form of the complaint (formal or informal). Supervisor or managers must keep accurate records of complaints and are responsible for taking appropriate action that actually stops the harassment or misconduct. Ignoring a report of sexual harassment or misconduct is unacceptable.

## **5. Conflicts of Interest**

Conflict of interest is a situation in which one's private interest (most often financial in nature) conflict with or raises a reasonable question of conflict with their job-related duties and responsibilities. Importantly, if someone violates a conflict of interest law, they face civil and/or criminal charges resulting in monetary fines or jail time.

Employee shall not:

- Engage in any activity that would create a conflict of interest or even the appearance of a conflict.
- Make personal investments in any enterprise that would create a substantial conflict between the employee's private interest and \_\_\_\_\_
- Engage in outside business or professional activities or accept employment if the activities create a conflict between the employee's private interest and \_\_\_\_\_; use or appear to use information obtained in connection with the employee's duties for \_\_\_\_\_, or could be expected to impair the employee's independence of judgment in the performance of the employee's duties for \_\_\_\_\_.

Local public officials (including members of governing bodies or another officer, whether elected, appointed, paid, or unpaid, of any district including a transit authority or district), as well as certain other employees involved with contracting, are subject to the conflict of interest provisions in Chapter 171 of the Texas Local Government Code. Chapter 171 established the standard for determining when a local official has a conflict of interest that would affect their ability to discuss,

decide, or vote on a particular item. Other state and federal laws may be applicable to officials and employees in particular situations.

## **6. Personal Use of Organization's Property**

Property owned or leased by or provide to \_\_\_\_\_ may only be used for official purposes as authorized by the Board of Directors and the General Manager. Any misuse or unauthorized use of \_\_\_\_\_ property, including information system resources, is subject to disciplinary action. Misuse of official property may also result in criminal prosecution.

## **7. Gifts and Honoraria**

Employees of \_\_\_\_\_ should always consider if it is appropriate to accept something from someone who wants, or may want, or may be seen to want, an official favor within their authority. It is unethical to accept or give a gift that is meant to sway a decision in favor of the gift-giver.

Under Local Government Code Chapter 176, a local government officer must disclose a vendor's offer of gifts to the officer or the officer's family member worth \$250 or more using the Conflict of Interest Form approved by the Texas Ethics Commission. The form requires disclosure even if the officer refuses the gift. An officer commits a class C misdemeanor if the officer knowingly violates the disclosure requirement.