



ARK-TEX COUNCIL OF GOVERNMENTS

***ETHICS
POLICY
MANUAL***

DECEMBER 16, 2010

FOREWORD

WELCOME TO THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG). This Ethics Policy Manual has been created to prescribe the standards of ethical conduct for all employees of our agency. This Manual does not take the place of, but shall be used in conjunction with, the Ark-Tex Council of Governments Policies and Procedures Manual, to provide policies and guidelines of behavior expected of ATCOG employees at all times.

All ATCOG 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, either oral or written, in the course of conducting the business of Ark-Tex Council of Governments. Employees shall not disclose confidential or sensitive agency business information without prior written authorization.

All ATCOG 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.

Although this manual identifies specific policies, it cannot address every conceivable situation. Ethical conduct, good judgment, common sense, and sound business practices and principles must prevail in any situation not covered by this manual.

THIS MANUAL IS NOT AN EMPLOYMENT CONTRACT OR PART OF SUCH A CONTRACT. The Board of Directors of the ATCOG reserves, unto itself, the right to suspend, vary from, modify, or eliminate any matter to which this manual relates, and may do so temporarily or permanently, in whole or in part, generally or in particular cases, and with or without prior notice as deemed appropriate.

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SECTION I
RECORDS RETENTION

I. RECORDS RETENTION

A. GENERAL POLICY

Ark-Tex Council of Governments (ATCOG) 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.

B. LOCAL GOVERNMENT CODE

As a local government, ATCOG must adhere to Local Government Code, Chapters 202 – 204, addressing records management. Records management includes the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping [Local Government Code § 201.003(8)].

C. WRONGFUL DESTRUCTION OF RECORDS

When a lawsuit is filed or is reasonably anticipated to be filed against this agency, or when an internal or governmental investigation is initiated, ATCOG must ensure that all information potentially relevant to the suit or investigation is preserved. Employees may not alter, conceal, or in any way destroy information potentially relevant to a suit or investigation.

ATCOG will take every step possible 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 e-mails.

D. TERMINATION

Any employee who violates this policy and destroys information, either through willful or unintentional act, will be subject to disciplinary action, up to and including termination. Engaging in unlawful destruction of records may also result in civil or criminal liability to any employee of ATCOG committing such acts.

E. ADMINISTRATION

The Executive Director and the Director of Administration are responsible for the administration and application of this Policy. Any improper destruction of records will be considered fraud and will be investigated as such (See II. Fraud).

SECTION II
FRAUD

II. FRAUD

A. GENERAL POLICY

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. Engaging in acts of fraud may result in civil or criminal liability to any employee of Ark-Tex Council of Governments (ATCOG) committing such acts.

This Fraud Policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against ATCOG. It is the intent of ATCOG to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

B. SCOPE OF WORK

This Fraud Policy applies to any irregularity, or suspected irregularity, involving employees, consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with ATCOG.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to ATCOG.

C. POLICY RESPONSIBILITY

Management is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud includes the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her benefit. Examples of fraud include lying on an employment application, falsifying records, or providing false receipts for reimbursement from ATCOG.

Each member of management should be familiar with the types of improprieties that might occur within his or her area of responsibility and should be alert for any indication of irregularity. Any irregularity that is detected or suspected must be reported immediately to the Executive Director, the Director of Administration, or the Human Resources Office, who coordinates all investigations with the appropriate authorities, both internal and external.

D. ACTIONS CONSTITUTING FRAUD

The terms defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to:

- Any dishonest or fraudulent act;
- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transactions;

- Accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to ATCOG (Exception: Gifts less than \$50 in value that can be used/enjoyed by all employees, i.e., cookies at Christmas);
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment; and/or
- Any similar or related irregularity.

E. OTHER IRREGULARITIES

Irregularities concerning an employee's moral, ethical, or behavioral conduct should be resolved by departmental management and the Executive Director.

If there is any question as to whether an action constitutes fraud, contact the Executive Director immediately for guidance.

F. INVESTIGATION RESPONSIBILITIES

Employees must be good stewards of resources entrusted to them and exercise due diligence to prevent and detect criminal conduct and noncompliance with laws and policies. All employees must report suspected fraud, waste, abuse or noncompliance to the Executive Director, the Director of Administration or the Human Resources Office immediately.

The Director of Administration has the primary responsibility for the investigation of all suspected fraudulent acts as defined in this Fraud Policy. If the investigation substantiates that fraudulent activities have occurred, the Executive Director will issue reports to appropriate designated personnel and to the Board of Directors through the Audit Committee.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and the Executive Director, as will final decisions on disposition of the case.

G. CONFIDENTIALITY

The Executive Director, the Director of Administration and the Human Resources Office will treat all information received in a confidential manner. Any employee who suspects dishonest or fraudulent activity will notify either the Executive Director, the Director of Administration or the Human Resources Office immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act. (See **Reporting Procedure** below)

Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected, but subsequently found innocent, of wrongful conduct and to protect ATCOG from potential civil liability.

H. AUTHORIZATION FOR INVESTIGATING SUSPECTED FRAUD

The Executive Director, the Director of Administration and the Human Resources Office will have:

- Free and unrestricted access to all company records and premises, whether owned or rented; and
- The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of their investigation.

I. REPORTING PROCEDURES

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is underway.

An employee who discovers or suspects fraudulent activity will contact the Executive Director, the Director of Administration or the Human Resources Office immediately. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Executive Director. No information concerning the status of an investigation will be given out.

The reporting individual should be informed of the following:

- Do not contact the suspected individual in an effort to determine facts or demand restitution.
- Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Executive Director.

J. TERMINATION

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the Executive Director and, if necessary, outside counsel before any action is taken.

K. ADMINISTRATION

The Executive Director and the Director of Administration are responsible for the administration, revision, interpretation, and application of this Policy. As part of the Ethics Manual, the Fraud Policy will be reviewed annually and revised as needed.

SECTION III
EQUAL OPPORTUNITY EMPLOYMENT

III. EQUAL OPPORTUNITY EMPLOYMENT

A. GENERAL POLICY

Ark-Tex Council of Governments (ATCOG) is an equal opportunity employer. It is the policy of ATCOG to promote and ensure equal employment opportunities to all applicants for employment and to all employees regardless of race, color, disability, religion, sex, genetic information, national origin or age.

This Equal Opportunity Employment Policy is adopted to prohibit discrimination against any person in job structuring, recruitment, examination, selection, appointment, placement, training, promotion, demotions, discipline, or any other aspect of personnel administration based on race, age, religion, color, genetic information, national origin, sex, or disability. Employment, promotion, demotion, training, discipline and any relation decisions will be made only on the basis of bona fide occupational qualifications and job-related factors such as education, training, experience, knowledge, attitude, aptitude, and necessary skills and abilities to perform a specific job. Discrimination has no place at ATCOG and will not be tolerated.

B. AFFIRMATIVE ACTION

The ATCOG is committed to maintaining and promoting equal opportunities for all qualified employees, applicants for employment, and program services for clients without regard to their race, creed, color, religion, genetic information, national origin, sex, age, disability or any other protected characteristic. ATCOG's commitment, in this regard, creates a positive obligation on the part of all management and participants for the adoption of and compliance with this affirmative action policy. Affirmative action includes, but is not limited to, hiring, placement, employment upgrading, promotions or transfers, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, selection for training, and services provided to clients. In addition, ATCOG will actively seek qualified members of minority groups and other protected classes in its services to clients and application and hiring processes.

C. COMPLIANCE AND ADMINISTRATION

It is the responsibility of each and every employee to insure compliance with the Equal Employment Opportunity; however, the Executive Director shall have the ultimate responsibility to insure compliance with all phases of this policy.

1. The Human Resources Specialist is the Equal Employment Opportunity (EEO) Officer and, as such, is responsible to administer the ATCOG's Equal Employment Opportunity Policy.
2. The EEO Officer will be responsible for:
 - a. Developing and implementing an Affirmative Action Plan.

- b. Assuring compliance by all employees and reporting any deviation to the Executive Director.
- c. Maintaining records and preparing status reports as necessary.
- d. Receiving, investigating, and responding to complaints in accordance with established procedures.
- e. Insuring that this policy is disseminated to all employees.

D. PERSONS WITH DISABILITIES

1. It is the policy of ATCOG to fully comply with the Americans With Disabilities Act of 1990, as amended, and prohibit discrimination against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.
2. In compliance with the Americans with Disabilities Act of 1990, as amended, ATCOG will insure all programs and services administered by ATCOG are accessible to qualified persons with disabilities. ATCOG will further provide appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and to enjoy the benefits of its programs and services.

E. WHISTLEBLOWERS PROTECTION

ATCOG encourages its employees to report improper activities in the workplace and will protect employees from retaliation for making any such report in good faith.

1. **EMPLOYEE RIGHTS:** Employees have the right to report, without suffering retaliation, any activity by ATCOG or an employee of ATCOG that the reporting employee reasonably believes:
 - a. Violates any state or federal law;
 - b. Violates or amounts to noncompliance with a state or federal rule or regulation; or
 - c. Violates fiduciary responsibilities to its employees.

In addition, employees can refuse to participate in an activity that would result in a violation of state or federal statutes, or a violation or noncompliance with a state or federal rule or regulation.

Employees are also protected from retaliation for having exercised any of these rights in any former employment.

The whistleblower protection laws do not entitle employees to violate a confidential privilege of ATCOG (such as the attorney-client privilege) or improperly disclose trade-secret information.

2. WHERE TO REPORT: Employees have the duty to comply with all applicable laws and to assist ATCOG to ensure legal compliance. An employee who suspects a problem with legal compliance is required to report the situation(s) to their supervisor or other appropriate member of management, to include the Executive Director.
3. PROTECTION FROM RETALIATION: Any employee who believes they have been retaliated against for whistleblowing may file a complaint with ATCOG's Equal Employment Opportunity (EEO) Officer. The EEO Officer, designated by the Executive Director, shall be responsible for receipt, documentation, investigation and report of all such complaints in accordance with established procedures.

F. ADMINISTRATION

The Human Resources Specialist as the Equal Employment Opportunity (EEO) Officer shall be responsible for receipt, documentation, investigation, and report of all such complaints of violations of the Equal Opportunity Employment Policy in accordance with established procedures.

SECTION IV
SEXUAL HARRASSMENT
AND
SEXUAL MISCONDUCT

IV. SEXUAL HARRASSMENT AND SEXUAL MISCONDUCT

A. GENERAL POLICY

It is the policy of Ark-Tex Council of Governments (ATCOG) to provide an employment environment free of sexual harassment or sexual misconduct. Any and all forms of sexual harassment and/or sexual misconduct are strictly prohibited and ATCOG will not tolerate any such form(s) of harassment or misconduct in the workplace.

B. SEXUAL HARASSMENT

Sexual harassment may include sexual advances, sexual solicitation, requests for sexual favors, or other verbal or physical conduct of a sexual nature where any of the three criteria exist:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or continued employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

C. SEXUAL MISCONDUCT

Sexual misconduct includes behavior that is short of sexual harassment, but may include offensive language, offensive jokes, offensive bantering or any other behavior of a sexual nature deemed to be offensive and unwelcomed by the employee who is offended. This sexual misconduct is unprofessional and inappropriate and it will not be tolerated at ATCOG.

D. CONDUCT EXPECTATIONS

It is the expectation of ATCOG that all employees will treat each other and the general public with professionalism, respect and fairness. Employees must conduct themselves with courtesy and restraint at all times on the job and at all times when they may be perceived in any manner as representing ATCOG.

E. REPORTING PROCEDURES

1. Any employee who feels he/she is being subjected to sexual harassment or sexual misconduct by any person in the workplace must report the incident to the appropriate supervisor or manager immediately. Likewise, any employee who witnesses any incident that appears to be a violation of sexual harassment or sexual misconduct policies is also required to report the incident immediately. If the subject of a complaint

is the employee's supervisor or manager, the employee must report the complaint directly to the Human Resources Office, the Director of Administration or the Executive Director.

2. Supervisors or managers who receive reports of sexual harassment or sexual misconduct must report the complaint(s) to the Human Resources Office, the Director of Administration or to the Executive Director, regardless of the form of the complaint (formal or informal) or whether it precisely follows ATCOG's complaint procedures. Ignoring a report of sexual harassment or sexual misconduct is unacceptable.
3. Accurate records of all complaints must be kept. Supervisors or managers will work with the Human Resources Office, the Director of Administration and the Executive Director to ensure appropriate action that actually stops the harassment or misconduct is taken.

F. PROTECTION FROM RETALIATION

ATCOG encourages its employees to report any sexual harassment or sexual misconduct in the workplace. Employees who report any form of sexual harassment or sexual misconduct are protected against retaliation by state and federal laws. (See III. Equal Opportunity Employment, E. Whistleblowers Protection)

G. TERMINATION

Sexual harassment and/or sexual misconduct will not be tolerated. Disciplinary action will be taken against any employee who is proven through investigation to have engaged in such activity, up to and including termination.

H. ADMINISTRATION

The Human Resources Office, the Director of Administration and the Executive Director are responsible for the receipt, documentation, investigation and report of all such complaints of sexual harassment or sexual misconduct.

SECTION V
CONFLICTS OF INTEREST

V. CONFLICTS OF INTEREST

A. GENERAL POLICY

Conflict of interest is a situation in which the private interest of an employee or officer of Ark-Tex Council of Governments (ATCOG) conflicts with or raises a reasonable question of conflict with job-related duties or responsibilities of that employee or officer. This is usually financial or economic in nature.

B. EMPLOYEES

An employee shall not engage in any activity that would create a conflict of interest or even the appearance of a conflict, to include:

1. Make a personal investment in any enterprise that would create a substantial conflict between the employee's private interest and ATCOG.
2. Engage in outside business or professional activities or accept employment if the activities create a conflict between the employee's private interests and ATCOG.
3. Use or appear to use information obtained in connection with the employee's duties for ATCOG or that could be expected to impair the employee's independence of judgment in the performance of the employee's duties for ATCOG.

C. PUBLIC OFFICIALS

Local public officials, including a member of the ATCOG governing body or another officer, whether elected, appointed, paid or unpaid, are subject to the Conflict of Interest provisions in Chapter 171 of the Texas Local Government Code. Chapter 171 establishes the standard for determining when a local official has a conflict of interest that would affect his or her ability to discuss, decide or vote on a particular item.

1. Officers of ATCOG will neither have financial interests in the profits of any contract, service, or other work performed for ATCOG nor derive personal profit directly or indirectly from any contract, purchase, sale, or service between the ATCOG and any person or company.
2. An officer shall not:
 - a. Participate in the selection, award, or administration of a contract in which public funds are used where, to their knowledge, they or their immediate families or partners or organizations in which their immediate families or partners have a financial interest or with whom they are negotiating or have any arrangement concerning prospective employment.

- b. Solicit or accept gratuities, favors or anything of monetary value from potential or existing contractors or vendors.
- c. Solicit or accept or agree to accept a financial benefit, other than from ATCOG, that might reasonably tend to influence his or her performance of duties for ATCOG or that he knows or should know is offered with intent to influence the officer's performance;
- d. Accept employment or compensation that might reasonably induce him to disclose confidential information acquired in the performance of official ATCOG duties or that might reasonably tend to impair independence of judgment in performance of official ATCOG duties;
- e. Make any personal investment that might reasonably be expected to create a substantial conflict between the officer's private interest and responsibilities for ATCOG; or
- f. Solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as an ATCOG officer in favor of that person.

D. CONTRACTS

- 1. With reference to contracts, no officer or employee of ATCOG who exercises any functions or responsibilities in the review or approval of an undertaking or the carrying out of one of the ATCOG's contracts shall participate in any decision relating to that contract if the decision affects his personal pecuniary interest.
- 2. Officers and other members of the ATCOG governing body must file a conflicts disclosure statement relating to any person that ATCOG has contracted with or is considering contracting with if that officer or member of the governing body or any of their family members has certain business relationships with that person.

E. ADMINISTRATION

The Executive Director and the Director of Administration are responsible for the administration, interpretation, and application of this Conflicts of Interest Policy. Legal counsel will be consulted as necessary in order to ensure all provisions of this Policy are strictly adhered to.

SECTION VI
PERSONAL USE OF
ATCOG PROPERTY

VI. PERSONAL USE OF ATCOG PROPERTY

A. GENERAL POLICY

It is the policy of Ark-Tex Council of Governments (ATCOG) to provide each employee with all reasonable and necessary tools, equipment, and property to adequately perform their job. All such tools, equipment and property owned by, leased by or provided to ATCOG may only be used for official purposes.

B. USE OF TOOLS, EQUIPMENT AND PROPERTY

1. Employees who are assigned tools, equipment, or any other ATCOG property are responsible for them and for their proper use and maintenance.
2. ATCOG tools, equipment, materials, supplies, or property may not be used for personal or political use.

C. USE OF INFORMATION SYSTEMS RESOURCES

1. Employees who are assigned information system resources, including personal computers and peripheral devices, are responsible for them and for their proper use and maintenance.
2. ATCOG information system resources may not be used for personal or political use.

D. USE OF BUILDINGS AND PREMISES

Use of ATCOG buildings and premises by employees shall be in compliance with law and with ATCOG policies regarding authorized uses and may not be used for personal or political use.

E. USE OF ATCOG CREDIT CARD

It is the policy of ATCOG to maintain credit cards to be used specifically and exclusively for the purpose of conducting essential ATCOG business. The designated custodian of all ATCOG credit cards is the Finance Manager, as directed by the Executive Director. The Finance staff will monitor the use of credit cards through payment of monthly invoices. Receipts for purchases will be given to the Finance staff to help reconcile the invoices prior to payment. ATCOG credit cards may not be used for personal or political use.

F. MISUSE OF ATCOG PROPERTY

Any misuse or unauthorized use of ATCOG's property, including information system resources, is subject to disciplinary action. Misuse of official property may also result in criminal prosecution.

SECTION VII
GIFTS AND HONORARIA

VII. GIFTS AND HONORARIA

A. GENERAL POLICY

Employees and officers of Ark-Tex Council of Governments (ATCOG) are prohibited from accepting any favor or gift from a person who wants, or may want, or may be seen to want, an official favor within the authority of that employee or officer.

B. GIFTS TO EMPLOYEES

It is unethical for any ATCOG employee to accept or give a gift that is meant to sway a decision in favor of the gift-giver. Employees may not:

1. Solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, or any other thing of monetary value, from a person who has, or is seeking to obtain, contractual or other business or financial relations with ATCOG.
2. Solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than the employee. However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.
3. Any such gift or gratuity, the receipt of which is prohibited by this policy, shall be returned to the donor with a written explanation as to why the return is necessary.

C. GIFTS TO OFFICERS

Officers or other members of the governing body are prohibited from accepting any gift that would sway a decision in favor of the gift-giver.

1. Officers and members of the governing body must disclose a vendor's offer of gifts worth a value of \$250 or more to them or to any family member using the Conflict of Interest Form approved by the Texas Ethics Commission.
2. Local Government Code Chapter 176 requires that the officer or member of the governing body disclose this offer of a gift even if the offer is refused.
3. An officer or member of the governing body who knowingly violates the disclosure requirements and violates Local Government Code Chapter 176 commits a Class C misdemeanor.

D. GIFTS TO STATE EMPLOYEES

State employees are legally and ethically prohibited from accepting gifts and honoraria, except in very limited situations.


1. ATCOG employees are prohibited from offering or conferring any benefit to a state employee in exchange for the recipient's decision, opinion, recommendation, vote or other exercise of discretion as a public servant that would benefit either ATCOG or the employee.
2. "Benefit" is defined as anything reasonably regarded as financial gain or financial advantage, including a benefit to any other person in whose welfare the beneficiary has an interest. Benefit does not include an item with a value of less than \$50 or a small gift or other benefit conferred on account of kinship or an independent relationship.
3. ATCOG employees may be held criminally liable for violation of this Policy.

E. ADMINISTRATION

The Executive Director and Director of Administration are responsible for administration and interpretation of this Policy and will investigate any report of wrongdoing.

AS REVISED -

**January 31, 2013
March 27, 2014**


**Randy Mansfield, Vice-President
Ark-Tex Council of Governments**

ATTEST:


**Brian Lee, Treasurer
Ark-Tex Council of Governments**

VIII. CODE OF ETHICS

Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.

I. Serve the Public Interest

Serve the public, beyond serving oneself.

ATCOG employees shall:

- a. Exercise discretionary authority to promote the public interest.
- b. Adhere to all laws and regulations that provide equal opportunity for all Americans, regardless of race, color, religion, sex, national origin, age, or handicap.
- c. Recognize and support the public's right to know the public's business.
- d. Not engage in financial transactions using non-public government information or allow the improper use of such information to further any private interest.
- e. Not, except as permitted by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or persons whose interests may be substantially affected by the performance or non-performance of the employee's duties.
- f. Not knowingly make unauthorized commitments or promises of any kind purporting to bind the government.
- g. Not use public office for private gain.
- h. Protect and conserve public property and shall not use it for other than authorized activities.
- i. Exercise compassion, benevolence, fairness and optimism.
- j. Respond to the public in ways that are complete, clear, and easy to understand.
- k. Assist citizens in their dealings with government.
- l. Be prepared to make decisions that may not be popular.

II. Respect the Constitution and the Law

Respect, support, and study government constitutions and laws that define responsibilities of public agencies, employees, and all citizens.

ATCOG employees shall:

- a. Understand and apply legislation and regulations relevant to their professional role.
- b. Work to improve and change laws and policies that are counter-productive or obsolete.
- c. Eliminate unlawful discrimination.
- d. Prevent all forms of mismanagement of public funds by establishing and maintaining strong fiscal and management controls, and by supporting audits and investigative activities.
- e. Respect and protect privileged information.
- f. Encourage and facilitate legitimate dissent activities in government and protect the whistle-blowing rights of public employees.
- g. Promote constitutional principles of equality, fairness, representativeness, responsiveness and due process in protecting citizens' rights.

III. Demonstrate Personal Integrity

Demonstrate the highest standards in all activities to inspire public confidence and trust in public service.

ATCOG employees shall:

- a. Maintain truthfulness and honesty and not compromise them for advancement, honor, or financial gain.
- b. Ensure that others receive credit for their work and contributions.
- c. Zealously guard against conflict of interest or its appearance: e.g., nepotism, improper outside employment, misuse of public resources or the acceptance of gifts.
- d. Respect superiors, subordinates, colleagues, and the public.
- e. Take responsibility for his/her own errors.
- f. Conduct official acts without partisanship.
- g. Act impartially and shall not give preferential treatment to any private organization or individual.
- h. Put forth honest effort in the performance of their duties.

- i. Endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part.

IV. Promote Ethical Organizations

Strengthen organizational capabilities to apply ethics, efficiency and effectiveness in serving the public.

ATCOG employees shall:

- a. Enhance organizational capacity for open communication, creativity, and dedication.
- b. Subordinate institutional loyalties to the public good.
- c. Establish procedures that promote ethical behavior and hold individuals and organizations accountable for their conduct.
- d. Provide organization members with an administrative means for dissent, assurance of due process and safeguards against reprisal.
- e. Promote merit principles that protect against arbitrary and capricious actions.

- f. Promote organizational accountability through appropriate controls and procedures.
- g. Encourage organization to adopt, distribute, and periodically review a code of ethics as a living document.

V. Strive for Professional Excellence

Strengthen individual capabilities and encourage the professional development of others.

ATCOG employees shall:

- a. Provide support and encouragement to upgrade competence.
- b. Accept as a personal duty the responsibility to keep up to date on emerging issues and potential problems.
- c. Encourage others, throughout their careers, to participate in professional activities and associations.
- d. Allocate time to meet with students and provide a bridge between classroom studies and the realities of public service.

This Code of Ethics primarily mirrors the Code of Ethics published by the American Society for Public Administration and incorporates the fourteen general principles of ethical conduct set forth in Executive Order 12674.