



Purpose of the Code of Conduct Policy

The Cities Association of Santa Clara County (CASCC) has adopted this Code of Conduct for members¹ of the CASCC to assure both the public and CASCC members that the CASCC operates with integrity, fairness, efficiency, and respect.

This Code of Conduct applies to the members of CASCC during public meetings as well as during their interactions with other CASCC members and the public while CASCC members act in their capacity as CASCC representatives. This policy further applies to all committees, task forces, or other groups designated by the CASCC to work with or advise the CASCC, including the Planning Collaborative, and any bodies for whom CASCC serves as fiscal agent or sponsor, such as the Santa Cruz/Santa Clara Roundtable (“SCSC Roundtable”). SCSC Roundtable members and staff are similarly subject to the conditions and policies herein while they are acting as representatives of the SCSC Roundtable, as their actions and behavior reflect directly upon CASCC.

CASCC and all covered individuals under this policy are committed to:

- Behaving honestly, truthfully and with integrity in all our transactions and dealings;
- Treating our members, CASCC staff, and the public fairly;
- Treating every member, staff, and the public with dignity and respect;
- Treating our staff with respect, fairness and good faith;
- Ensuring compliance with both the spirit and the letter of the law;
- Avoiding conflicts of interest;
- Appropriately handling actual or apparent conflicts of interest in our relationships;
- Acting responsibly toward the communities in which we work and for the benefit of the communities that we serve;
- Being responsible, transparent and accountable for all of our actions; and
- Setting a robust example of accountability, transparency, ethical conduct and effectiveness for collaborative intergovernmental associations like CASCC.
- Open and honest communication in the spirit of transparency.

¹ For ease of reference in the Code of Conduct, the term “member” refers to any member of the Cities Association of Santa Clara County, including the individual representatives of Santa Clara County cities who have been appointed to the Executive Board and Board of Directors. “Member” further refers to staff and any member of the SCSC Roundtable.

Anti-Discrimination and Anti-Harassment Policy

Objective

CASCC is committed to a work environment in which all individuals, members and staff alike, are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, CASCC expects that all relationships among members, including with other members, the public, and staff, will be business-like and free of unlawful or explicit bias, prejudice and harassment.

CASCC has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. CASCC will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any member or staff person who has questions or concerns about these policies should request a discussion with the President or 1st Vice-President of CASCC, the CASCC Executive Director, and the CASCC attorney.

Dedication to Equal Employment Opportunity

It is the policy of CASCC to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law. CASCC prohibits any such discrimination or harassment.

Prohibition Against Retaliation

CASCC encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of CASCC to promptly and thoroughly investigate such reports. CASCC prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

Prohibition Against Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, “sexual harassment” is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, b) submission to or rejection of such conduct by an individual is used as the basis for

employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature. These behaviors are prohibited and CASCC does not condone or permit any such conduct.

Prohibition Against Harassment and Hostile Work Environment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

CASCC also prohibits the creation of a hostile work-environment. A hostile work environment is defined as inappropriate behavior in the workplace that is either severe *or* pervasive enough to create an abusive work atmosphere for one or more individuals, including members or staff.

CASCC prohibits bullying behavior against members, staff, or the public, and prohibits members from improperly or abusively denigrating other members, staff, or the public while engaged in CASCC related business, including in communications with other members, staff, or the public regarding CASCC business.

Individuals and Conduct Covered

These policies apply to all members, staff employees and applicants for staff positions, whether related to conduct engaged in by fellow employees or by someone not directly connected to CASCC (e.g., an outside consultant).

The policies apply to the all committees, task forces, or other groups designated by the CASCC to work with or advise the CASCC, including the Planning Collaborative and SCSC Roundtable and its members, as well as staff employees and applicants for staff positions, so long as the CASCC continues to act as the fiscal agent for the SCSC Roundtable.

Conduct prohibited by these policies is unacceptable in the workplace, including during public meetings, while interacting with staff or members in person or via phone, email, and/or digital meeting, and in any work-related setting outside the workplace, such as business-related social events.

Reporting an Incident of Harassment, Discrimination or Retaliation

CASCC encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals, including members or staff, who believe that they have been the victim of such conduct should immediately contact the CASCC President, 1st Vice-President, or Executive Director. CASCC encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. CASCC recognizes, however, that an individual may prefer to pursue the matter through complaint procedures described below.

Complaint Procedures

Individuals, including members or staff, who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with the CASCC Executive Director.

CASCC encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention are the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly and referred to the CASCC Attorney. The investigation may include individual

interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

CASCC will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to the CASCC Executive Board by informing the CASCC Executive Director that the party would like to appeal the resolution of the complaint.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate responsive action.

Conflicts of Interest Policy

Conflicts of interest can raise governance and decision-making concerns for CASCC. They also may raise concerns in the mind of the public and members of the media, potentially undermining CASCC's reputation and good standing. Generally speaking, a conflict of interest is a situation in which a CASCC member or any covered individual under this policy has a personal or financial interest that compromises or could compromise the member's independence of judgment in exercising his or her responsibilities to CASCC or for those whom CASCC acts as fiscal agent.

Members are expected to minimize conflicts of interest, disclose ethical, legal, financial, and other conflicts, and remove themselves from decision-making if they would otherwise be called on to act on a conflict involving themselves or entities with which they are closely associated.

Under this policy, members are required to disclose actual or potential conflicts of interest, as well as certain relationships and transactions, to enable to take steps it considers necessary or advisable to address conflicts of interest. Depending on the circumstances, a relationship and/or transaction disclosed under this policy will fall into one of three categories: the relationship/transaction 1) is not a conflict of interest, 2) is a conflict of interest that is permitted provided that certain procedures are followed, or 3) is a conflict that is prohibited altogether.

Members should contact the CASC Executive Director with any concerns regarding a potential or actual conflict of interest as soon as is practicable.

Adopted by the Board of Directors
November 12, 2020