

Policy Name:	OHS Ethics & Code of Professional Conduct Policy	Number:	OHS–HR-04
Applies to:	All Office of Health Strategy Employees (current and former)		
Position Responsible:	OHS Ethics Liaison		
Effective Date:	July 1, 2018	Last Reviewed:	
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PURPOSE:

The overriding purpose of an ethics policy is to encourage ethical conduct. The intent of this policy is to provide guiding principles to accomplish the department’s mission and support the department’s core values.

All employees are expected to:

- Respect the rights and dignity of all individuals, both employees and members of the public.
- Adhere to the principles of fair treatment, regardless of an individual’s economic or educational status, race, color, sex, sexual orientation, marital status, religious creed, age, national origin, ancestry, physical disability, learning disability, past or present history of mental disability, genetic information, or prior conviction of a crime.
- Communicate relevant and significant information to employees, our partners, and the public in a timely manner. Recognize that communication is a shared responsibility and includes listening to the concerns of others, respecting their needs and differences, and responding accordingly.
- Respect the privacy rights of employees and members of the public.
- Adhere to all OHS policies.
- Be conscientious in their attendance and in the performance of their duties. Comply with applicable statutes, regulations, and agency policies.
- Recognize that professional development is an ongoing process. Pursue relevant educational and training opportunities and support other employees in such efforts.
- Exercise care regarding their own health and safety and the health and safety of other employees and members of the public. Report safety concerns to their supervisor or other appropriate authorities.
- Properly utilize, maintain and care for state facilities, vehicles and assigned equipment.

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SCOPE:

This policy applies to all current OHS employees. It also includes provisions that apply to former OHS employees for one year after leaving state service, or for a lifetime.

DEFINITIONS:

Regulated or Restricted Donors: People or entities from which you should not accept gifts. They include: persons or entities regulated by OHS; persons or entities doing business with OHS (contractors and vendors), persons or entities seeking to do business with OHS; and, registered lobbyists.

POLICY:

This policy is derived from the State of Connecticut Code of Ethics, *Conn. Gen. Stat. §§ 1-79 -1-90a*, as amended by Public Act 18-91. While the Code of Ethics is applicable to all state employees, including OHS employees, certain provisions within this policy are more stringent to facilitate the needs of our agency and maintain the standards required to attain our mission.

PROCEDURES:

All employees are expected to take a two-part, on-line, mandatory training through TRAIN. The first part is administered through the Office of State Ethics and applies to all State of Connecticut employees.

PROCESS AND APPLICATION TO STATE DUTIES:

Appearance of Impropriety: Employees will make every effort to foster and preserve public trust in the Department and therefore shall avoid any actions creating the appearance that they are violating laws or the ethics policy. Employees shall not use their title or the Department’s name in a manner that suggests impropriety, favoritism, or bias. Additionally, employees who serve on any

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Board or Commission as part of their role at OHS shall avoid the appearance of impropriety when reviewing a funding application from OHS.

Confidential Information: Employees shall not access or attempt to access any personal or confidential information not required to perform their assigned agency responsibilities. Employees shall not disclose personal or confidential information in any manner prohibited by law or other OHS policies.

Conflicts of Interest: Employees must report to an immediate supervisor any interest that he/she, or the employee’s spouse, child, sibling, parent, or a business with which the employee is associated has that is in conflict with the proper discharge of his/her duties in employment.

Contracts with the State: Employees, his/her immediate family, or business with which an employee is associated with, shall not enter into any contract with the state valued at \$100 or more, unless the contract has been awarded through an open, public and competitive process. (Immediate family is spouse, child, and dependent relative in an employee’s household).

Data: Employees shall not alter or falsify any data or information. All OHS data and information must be kept stored and secured in accordance with the OHS Information Security Policy.

Employment of Friends or Relatives: Employees shall not use their state position to attempt to influence the appointment or terms and conditions of employment of any friend or relative.

Employment of Subordinates or Supervisors: Employees shall not employ his/her subordinate or supervisor for outside employment. This restriction does not apply only to an immediate supervisor, but goes up and down the chain of command.

Financial Gain: Employees shall not use his/her OHS position to obtain personal financial gain or financial gain for his/her spouse, child, child’s spouse, parent, sibling or business with which the employee is associated.

Gifts: Employees shall not accept or solicit any gift or gratuity, either directly or indirectly, from any individuals or entities regulated by, doing business with, or seeking to do business with the

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agency, or from any registered lobbyist. Soliciting or receiving gifts or gratuities from any member of the public, as an inducement or in exchange for agency services, is not permitted.

Gifts Between Supervisors and Subordinates: Permitted up to a value of \$99.99 per gift (including pooled funds). Permitted up to a value of \$1000 for a major life event - birth or adoption, wedding, funeral, induction into religious adulthood, or retirement. (No value limit for gifts between co-workers).

Gifts to the State: Employees may accept goods and services from regulated and non-regulated entities that support participation of employees at an event (e.g., conference, site tour, training), so long as the event facilitates state action or functions.

Legal Proceedings: Employees shall not use his/her employment status in an attempt to interfere with, or influence the outcome of, proceedings involving the application of any law.

Meals: Employees shall not accept or solicit meals or refreshments *while engaged in any regulatory activity (i.e., inspection, investigation, contract negotiation)*. Meals or refreshments may be accepted when consumed at a professional meeting, training or conference if they do not exceed the statutory gift limit and are made available to agency employees and non-employees on an equal basis.

Statutory gift limit for Meals and Refreshments:

From Restricted Donors: May accept up to a value of \$50 total in a calendar year if the restricted donor representative is present when the items are consumed, but only up to \$10 in value if a donor representative is not present.

From Non-Restricted Donors: If provided *because of your state position*, may accept up to a value of \$100 total in a calendar year, whether a donor representative is present or not.

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Necessary Expenses for Appearance at a Function: Employees may accept necessary expenses as an OHS employee if they are actively participating in an event (speaker, panelist, participating in workshop, required vote, award recipient, etc.). Necessary expenses are allowed for travel, lodging, meals, and related conference expenses.

Out-of-State Functions or Overnight Lodging: Employees must report to the Office of State Ethics all necessary expenses that were paid or reimbursed for their active participation in an event that was out-of-state or required overnight lodging. Employees must file the reporting form within 30 days of receiving payment or reimbursement of necessary expenses. (Form ETH-NE is found on the Office of State Ethics website).

Necessary expenses do not have to be reported for in-state functions that do not require overnight lodging or for expenses paid directly by a state or federal government.

Employees shall not accept: entertainment costs; expenses paid for family members or other guests; or fees and honorariums for their appearance in their official state capacity.

Outside Employment: Employees shall not accept employment or business, while employed at OHS, which: 1) impairs his/her independence of judgment in their state employment; 2) encourages the disclosure of confidential information gained in his/her state position; 3) involves the use of his/her state position for financial gain; or, 4) involves the use of state time or any other state resources.

Post-Employment: Employees shall not accept a position after leaving OHS that requires the employee to:

One Year Bans:

- 1) Represent any person or entity before OHS within one year of leaving OHS;
- 2) Be employed with a contractor within a period of one year after leaving state service if the OHS employee participated substantially in, or supervised, the negotiation or

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award of a contract valued at \$50,000.00 or more and the contract was signed within one year before the OHS employee left OHS.

Lifetime Bans:

- 1) Disclose any confidential information gained during their state service at OHS for any purpose;
- 2) To represent any person or entity in a particular matter that such OHS employee was involved in substantially and personally during service with OHS; and,

Retaliation: Employees shall not retaliate against any individual who reports any potential violation of this policy or other misconduct.

Statement of Financial Interests (SFIs): The Governor mandates that persons who exercise [i] significant policy-making, regulatory or contractual authority; [ii] significant decision-making and/or supervisory responsibility for the review and/or award of State contracts; or, [iii] significant decision-making and/or supervisory responsibility over staff that monitor State contracts must file an SFI.

Persons identified by the Executive Director or by his/her supervisor through the Executive Director’s authority, as an employee required to file an SFI, *must file his/her SFI by May 1 of each year*. If May 1 falls on a legal holiday or weekend, then the SFI must be filed on the first business day after May 1.

All designated employees are personally responsible to file his/her SFI accurately, completely, and timely. Failure to do so will subject the individual to fines imposed by the Office of State Ethics of up to \$10 per day for each day the statement is late (up to \$10,000 per violation), and may also subject the individual to disciplinary action by OHS.

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Use of State Time, Equipment and Materials: Employees shall not use state time, equipment or materials for any outside employment, political activities, or any personal purposes.

DISCIPLINE: The Office of State Ethics has jurisdiction to interpret and enforce the Code of Ethics. Violations may result in a formal complaint proceeding filed against an employee and sanctions up to \$10,000 per violation. The Office of State Ethics may refer matters to the Chief State’s Attorney for criminal prosecution. An intentional violation of the Code is a misdemeanor for the first violation, unless the individual has derived a financial benefit of at least \$1,000. In that case, the violation is a class D felony.

OHS retains the right to review independently and respond administratively to any violation. Noncompliance with this policy could result in disciplinary action, up to and including, termination.

CONTACT: Employees should direct questions to their supervisor, manager, agency human resource administrator, agency ethics liaison, or the Office of State Ethics.

<u>Agency Ethics Liaison(s)</u>	<u>Office of State Ethics</u>
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