DEPARTMENT OF ADMINISTRATIVE SERVICES
STATE OF CONNECTICUT

165 Capitol Avenue
Hartford, CT 06106-1658

DEPARTMENT OF ADMINISTRATIVE SERVICES
ETHICS POLICY

I. INTRODUCTION

Employees of the Department of Administrative Services ("DAS"), as representatives of the State of Connecticut, have positions of trust and responsibility that require them to observe the highest ethical standards.

This policy summarizes the general rules that apply to DAS employees; however it is not exhaustive. Therefore, as a DAS employee, you are required to become familiar with and comply with the following:

- Code of Ethics for Public Officials, Conn. Gen. Stat. §§ 1-79 through 1-89a;
- Office of State Ethics Regulations;
- The Summary of the Code of Ethics for Public Officials; and
- DAS General Letter 214-D.

The first three items listed above may be found on the website of the Office of State Ethics, www.ethics.state.ct.us; DAS General Letter 214-D may be found on the DAS website, http://www.das.state.ct.us/HR/om/dasgldir.htm.

Please note that under state statute, compliance with the Code of Ethics (the "Code") is the responsibility of each employee.

II. DISSEMINATION OF THE POLICY AND OTHER ETHICS MATERIALS

A copy of this policy will be provided to all current and future employees of DAS. The policy will also be posted on the DAS website. Additionally, portions of the Code of Ethics addressing post-employment restrictions will be provided to each DAS employee before he or she leaves state service. DAS will also provide to all current and potential vendors of the agency a summary of the State Code of Ethics as it applies to state vendors and contractors.

III. CONFLICT OF INTEREST PROVISIONS

In general, you may not use your public position or authority for personal financial benefit, nor compromise any confidential state information. The following list summarizes some of the specific prohibitions that may apply to you:

- OUTSIDE EMPLOYMENT. No employee may accept outside employment that will impair his or her independence of judgment with regard to his/her state duties or would encourage the disclosure of confidential information gained in state service. Additionally, although an employee may use his/her expertise, he/she may not use his/her state position to obtain

outside employment. An employee is not allowed to use his/her business address, telephone number, title or status in any way to promote, advertise or solicit personal business.

- CONFIDENTIAL INFORMATION. Employees are prohibited from disclosing confidential information gained while employed at DAS. If you are unsure about whether certain information is deemed confidential, please ask your supervisor prior to releasing such information.

- CONTRACTS WITH THE STATE. Employees, their immediate family members, and/or a business with which an employee or his/her family member is associated may not enter into a contract with the state valued at $100 or more, unless the contract has been awarded through an open and public process. Employees are also prohibited from interfering with or soliciting contracts for or on behalf of any person.

- FINANCIAL BENEFIT. Employees may not use their official position or confidential information gained in their service for personal financial benefit, the financial benefit of a family member, or the financial benefit a business with which they, or a family member, are associated.

  Additionally, using state time, personnel or materials – including telephones, computers, e-mail systems, fax machines, copy machines, state vehicles and any other state systems or supplies – for a personal business or for other personal, non-state related purpose is considered a financial benefit to the employee, and is therefore strictly prohibited.

- FINANCIAL INTERESTS. Employees may not have a financial interest in any business, employment, transaction or professional activity that "substantially conflicts" with the proper discharge of their duties and responsibilities or employment in the public interest. In other words, you are prohibited from taking an official action that will directly affect your financial interest (or the financial interests of a family member or a business with which you are associated), such as awarding a contract to a private business that you own. You are not, however, considered to have a "substantial conflict" if the financial interest is shared by other members of your profession, occupation or group.

  If, in the course of your work as a DAS employee, you are asked or expected to take an action that would directly affect your financial interest (or the financial interests of a family member or a business with which you are associated), you must prepare a written statement that describes the potential conflict and give it to your division manager who may decide to reassign the matter.

- BENEFITS THAT MAY INFLUENCE OFFICIAL ACTIONS. Employees may not solicit or accept anything of value, including, but not limited to, a gift, loan, political contribution, reward or promise of future employment, based on an understanding that it will influence your official actions.

IV. GIFTS

As a state employee, you are restricted from receiving gifts from certain entities and individuals.

WHAT IS A "GIFT?"

A "gift" is anything of value that you have directly or personally received unless:

- You have given something of equal or greater value (including, but not limited to, money) in exchange for the item; or
- The item falls into one of the exceptions listed in Section 1-79(e) of the Connecticut General Statutes. Examples of items that are not considered to be "gifts" under this law include:
    - A gift received from an immediate family member;
    - A certificate, plaque or other ceremonial award that costs less than $100;
    - A rebate, discount or promotional item that is available to the general public;
    - Food or beverages, provided that the gift-giver is in attendance when the food or beverages are consumed and that the total value of the food or beverages you receive from any single gift-giver is less than $50 per year;
    - A token item, such as a pen, mug or inexpensive baseball cap, that, in and of itself, costs less than $10, provided that the total value of the token items you receive from any single gift-giver is less than $50 per year.
    - A gift given to you or a member of your family for a "major life event," i.e., the birth or adoption of a child, a wedding, a funeral, a ceremony commemorating induction into religious adulthood (i.e., confirmation, bar mitzvah or bat mitzvah), or retirement from public service or state employment The limit for gifts given in honor of one of these listed "major life events" is $1,000.

GIFTS FROM REGULATED DONORS

In general, you may not accept any "gift" from a "regulated donor." "Regulated donors" include:

- Registered lobbyists or their representatives;
- Individuals or entities doing business or seeking to do business with DAS;
- Individuals or entities that are directly regulated by DAS; and
- Contractors on the DAS prequalification list.

A list of registered lobbyists can be found on the Office of State Ethics website. Employees can determine whether a vendor is doing business with DAS, and whether an entity is on the DAS prequalification list, by checking the DAS website.

Please note that, while the exceptions to the definition of "gift" listed in C.G.S. 1-79(e) generally apply to items received from regulated donors, the "major life events" exception described above may only be used by lobbyists. You may not accept gifts for "major life events" from other regulated donors.

GIFTS FROM NON-REGULATED DONORS

In addition to the restrictions on gifts from regulated donors, the law also limits your ability to accept gifts from non-regulated donors who give you something *because of your position in state service*. Specifically, you may accept
gifts from individuals or entities who are not regulated donors but who give you gifts because of your public position only if the total value of any gifts from a single gift-giver less than $100 per year.

There are also restrictions on gift-giving between supervisors and subordinates. In most circumstances, any gift given and received between a DAS supervisor and a subordinate (whether or not they are in a direct reporting relationship) must have a value of less than $100 per gift. Please note that supervisors and/or subordinates cannot pool their money to give a group gift that is valued in excess of $99.99. The only exception to the $99.99 limit for gifts is the "major life event" exception described above.

V. FEES, HONORARIA AND NECESSARY EXPENSES

As a state employee, you may not accept fees or honoraria for an article, appearance, speech or participation in an event if you engaged in such activities in connection with or as part of your state employment. If, however, your involvement in such activities is not related to your state employment, you may be permitted to accept the fee or honoraria.

If you, in your capacity as a state employee, actively participate in an event (i.e., give a speech or presentation or run a workshop), you may be able to receive compensation for necessary expenses, even if they are paid for by a "regulated donor." Necessary expenses can include: travel (not first class); lodging for the nights before, of, and after the appearance, speech or event; meals; and related conference or seminar registration fees. Entertainment costs and the payment of expenses for family members or guests are not necessary expenses.

Any employee who accepts payment or reimbursement from a non-governmental entity for necessary expenses for lodging and/or out-of-state travel must file a Form ETH-NE with the Office of State Ethics within 30 days of receiving the payment or reimbursement. This form can be completed online.

VI. RESTRICTIONS ON POLITICAL ACTIVITIES

Connecticut's ethics laws and policies impose certain restrictions on the political activities of state employees. In general, you may not:

- Campaign for a candidate or otherwise engage in political activities during working hours;
- Use state funds, supplies, vehicles or facilities to promote a candidate, party or issue;
- Use your position to influence, directly or indirectly, any part of the political process, including the results of an election or a nomination for office and any payments, contributions or loans to a party, committee, organization, agency or person for political purposes; or

- Directly or indirectly coerce, command, or advise a state or local officer or employee to contribute anything of value to a party or person for political purposes.

DAS employees are not prohibited from seeking political office as long as it is not done on state time or with state equipment or resources. However, employees may not be employed by two branches of state government simultaneously. Therefore, any employee who accepts an elective state office must resign from his/her position with DAS. An employee who accepts a full-time elective municipal office may, in DAS's discretion, be granted a personal leave of absence without pay from his/her DAS position for a limited time.

Any DAS employee seeking an elective state office or a full-time elective municipal office must notify his/her supervisor of this fact in writing, within 30 days after nomination for that office.

DAS employees who perform duties that relate to programs that are financed in whole or in part by federal funds may also be subject to the federal Hatch Act. In some cases, especially with regard to state employees running for office, provisions of the Hatch Act differ from state law. Please see your Division Director or the DAS Ethics Compliance Officer if you have any questions about the federal Hatch Act.

VII. STATEMENTS OF FINANCIAL INTERESTS (SFIs)

The Code of Ethics requires that all department heads and deputies, state marshals and "such members of the Executive Department . . . as the Governor shall require," among others, file an annual Statement of Financial Interests (SFI) with the Office of State Ethics for the preceding calendar year. SFIs are due to Office of State Ethics on May 1st of each year, and can be filed electronically through that agency's website.

Governor Malloy has established a standard that requires the following individuals to file annual SFIs:

> "[A]ll persons in the Executive Branch and Quasi-Public Agencies 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."

Each agency is responsible for designating which of its employees meet these standards.

You will be notified if you have been designated by your Division Director as an individual who must file an annual SFI. Each DAS employee so designated is personally responsible to accurately complete and timely file his/her SFI with the Office of State Ethics. Failure to do so will not only subject the employee to fines imposed by the Office of State Ethics of $10 per day for each day the report is late (up to $10,000 per violation), but may also subject the employee to disciplinary action by DAS.

An employee who has been designated as an SFI filer who leaves his/her position at DAS during the course of the year also must file an SFI covering that portion of the year during which such individual held his/her office or position. The Office of State Ethics will notify such individuals of this requirement no later than thirty days after they leave their office or position, and the individuals must file the SFI within sixty days after they receive the notification.

VIII. RESTRICTIONS ON POST-EMPLOYMENT ACTIVITIES

In addition, certain restrictions apply to the conduct of former DAS employees.

- There is a lifetime ban on disclosing for anyone's financial gain confidential information that you learned in the course of your state employment.
- There is a lifetime ban on representing anyone other than the state in connection with any matter in which you substantially participated during your state employment and in which the state has a substantial interest.
- There is a one-year ban on representing anyone for compensation before DAS.
- There is a one-year ban on being hired by a state contractor if, while you were employed by DAS, you were substantially involved in or supervised the negotiations or award of a state contract to that contractor and the contract is valued at $50,000 or more.

Additionally, as discussed above in Section VII, any DAS employee designated as an individual who must file an annual Statement of Financial Interests (SFI) must file an SFI after leaving DAS covering that portion of the year during which such individual held his/her position. The Office of State Ethics will notify such individuals of this requirement no later than thirty days after they leave their office or position, and the individuals must file the SFI within sixty days after they receive the notification.

IX. REPORTING ETHICS VIOLATIONS

Certain State officials and employees are *required* to report to the Office of State Ethics if they have reasonable cause to believe that a person has violated the Code of Ethics for Public Officials or any law or regulation concerning ethics in state contracting. The DAS Commissioner, DAS Deputy Commissioner and the State's Chief Information Officer are mandatory reporters. Additionally, any "person in charge of state agency procurement and contracting" are also mandatory reporters. At DAS, the following positions are considered to be in charge of state agency procurement and contracting, and therefore, in addition to our Commissioner and Deputies, are deemed mandatory reporters under this provision: our Procurement Services Director, Business Office Director, and Leasing & Property Transfer Administrator.

If any other DAS employee has questions or concerns about potentially unethical conduct by any person, including but not limited to state contractors, immediately contact your Division Director, the DAS Ethics Compliance Officer, or agency leadership.

Mandatory reporters may directly contact the Office of State Ethics with concerns, or may contact the DAS Ethics Compliance Officer to coordinate the report.

Please know that there are strict rules regarding the confidentiality of Ethics complaints. If you file a complaint with the Office of State Ethics – whether you are a mandatory reporter or not – certain information must be kept confidential. Specifically, you may disclose the facts that form the basis of a complaint (i.e., the facts that you acquire on your own). However, you may not disclose the existence of a formally-filed complaint (i.e. the fact that you filed a complaint with Office of State Ethics or that you know that a complaint has been filed with the Office of State Ethics); any

information acquired through interacting with the Office of State Ethics; or the fact that specific information was conveyed to the Office of State Ethics.

The Office of State Ethics has authority to institute enforcement actions and impose fines against those who improperly disclose complaint information to any third party.

X. VIOLATIONS OF THE CODE OF ETHICS

The Office of State Ethics has jurisdiction to interpret and enforce the Code. Violations may result in a formal complaint proceeding filed against an employee and sanctions of up to $10,000 per violation. The entire Code and the regulations, as well as a summary of these rules, may be found on the Office of State Ethics website, www.ethics.state.ct.us . Formal interpretations of the Code of Ethics can also be found on this website.

Please note that violations of the Code of Ethics may subject an employee to sanctions from agencies or systems external to DAS. Whether this occurs or not, DAS retains the right to independently review and respond administratively to violations. The conduct of the review and response will be in accordance with contractual and regulatory guidelines.

XI. CONCLUSION

It is strongly recommended that all DAS employees avoid situations that are ethically questionable or that may give the appearance of being ethically questionable.

If you have any questions about this policy or if you are uncertain about how Connecticut's ethics laws and policies apply to a specific situation, contact the DAS Ethics Compliance Officer, Jeffrey Beckham, at (860)713-5195, or the Office of State Ethics, at (860)263-2400.

All reports made to the DAS Ethics Compliance Officer will be kept confidential to the extent permitted by law, and only those with an absolute need to know will be notified of the identity of any individual reporting questionable behavior.

DAS strictly forbids retaliation against employees who make reports or who participate in internal or external investigations of any kind.

Melody A. Currey, Commissioner

6/29/15
Date