

Personnel Policies

For Temporary Employees

5/1/2019

This document includes excerpts from the NVCOG Personnel Policies, Adopted 1/16/2015, and revised 5/5/2017.

NVCOG Personnel Policies for Temporary Employees

May 8, 2019

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Category of Employment

Temporary

Employees hired to work for a limited duration of less than nine months, including interns, usually for a specific project at either full-time or part-time hours shall not be entitled to medical benefits or other benefits except those mandated by State Law. Such employees working on a full-time basis for an extended, finite period of time may be eligible for some benefits at the discretion of the Executive Director.

Working Hours

Basic working hours shall be from 8:30 to 4:30, Monday through Friday, with an hour lunch period for a total of seven working hours per day

Termination of Employment

Staff members may be dismissed by the NVCOG, without cause, with no less than two (2) work weeks' written notice. Staff members may be dismissed with cause with immediate notice. All staff members other than the Executive Director wishing to terminate their employment shall give the NVCOG written notice of such termination no less than two (2) work weeks' written notice. The NVCOG prefers earlier notice of such termination from employees whenever possible.

Holidays – Office closed

New Year's Day

Martin Luther King Day

Presidents' Day

Good Friday (or other religious holiday of the employee's choice)

Memorial Day

Independence Day

Labor Day

Columbus Day

Veterans Day

Thanksgiving Day

Day after Thanksgiving

Christmas Day

Expenses

Legitimate travel and business expenses will be paid at the discretion of the Executive Director upon submission of an expense voucher. Vouchers shall be submitted at least monthly. Reimbursement vouchers will only be approved when accompanied with receipts. Staff reimbursement vouchers will be paid on regular payroll periods. Staff reimbursement vouchers will *not* be recognized as an NVCOG responsibility 60 days or more from their occurrence, and 30 days or more after the end of the fiscal year.

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Personal Vehicle Mileage — Employees will be reimbursed at the mileage rate approved by the Connecticut Department of Transportation (CT-DOT), as specified by the U.S. General Services Administration (GSA), for use of their own vehicle on Council business in excess of their regular commute.¹

Other Travel Expenses — Receipts for tolls (at least a one-way sample), parking, bus, etc. must be attached to travel vouchers.

Prior Approval for Reimbursement — If prior approval from a funding source is required for travel reimbursement, it must be obtained before the expense is incurred.

NVCOG employees may, but are not required to make contributions from their salary to the State of Connecticut 457 retirement plan through Prudential. Contributions may be pre-tax or after-tax depending upon the employee's preference.

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Standards of Conduct

NVCOG strives to maintain high professional standards of service, a positive work environment for its employees, and support efficient operations. NVCOG employees are expected to engage only in courteous, respectful, and appropriate behavior in conformity with professionalism, punctuality, and responsibility when officially or unofficially represented NVCOG. Conduct which is immoral, unsafe, unethical, or illegal will not be tolerated. Employees who do not adhere to such standards in a disruptive manner or a manner which reflects poorly on NVCOG or its employees may be subject to disciplinary action up to and including termination.

Conflict of Interest

NVCOG upholds a code of ethics to which employees shall adhere. The following policies are intended to minimize the potential for conflicts of interest on the part of employees and for dealing with such issues as they arise. These policies are not an exhaustive representation of the policies present in the NVCOG Code of Ethics.

NVCOG Employees shall:

- a. Perform work on a project only if there is no reasonably obtained belief that direct financial or personal gain to them, their families, or those living in their households will result from such project. They may perform work on such a project if, after written notification is provided to NVCOG and NVCOG, their employer consents to such work and project.
- b. Accept compensation, commission, rebate, or other advantages perceived to be related to their public office or employment only from NVCOG.
- c. Respect the stated or implied confidentiality of information, when such implication shall be understood by the divulgence of information causing embarrassment or detriment to a client or NVCOG.

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- d. Disclose any and all potential conflicts of interest to the Executive Director. When the Executive Director finds that a conflict of interest is clearly present or may be present, the Executive Director shall disqualify the affected employee from participating in all NVCOG activities that could be affected by such conflict of interest.

Violation of these policies may lead to disciplinary action, up to and including termination of employment.

Outside Employment/Public Service

Staff may hold another job outside the NVCOG as long as staff meet and maintain the performance standards of their job with NVCOG. Staff will be evaluated using the NVCOG's performance standards for their job and will be subject to the NVCOG's scheduling requirements, regardless of any existing outside work requirements.

If outside work interferes with job performance or NVCOG's normal business hours, and creates a conflict of interest, staff may be asked to terminate outside employment in order to remain an employee with NVCOG

All outside employment must be reported to and approved by the Executive Director.

Employees are permitted to serve on public boards or committees and run for public office provided they first notify the Executive Director of their intention to serve and that there be no conflict of interest in this activity. Public service should not interfere with the employee's duties with NVCOG.

The Executive Director may not hold another job outside the NVCOG without notifying the NVCOG of this employment and receiving from the NVCOG a written approval.

Use of NVCOG Property: Phones, Computers, E-Mail, Internet, etc.

NVCOG computers, voice mail, e-mail, Internet access, desks, file cabinets, and other items are NVCOG property and are provided to employees for job-related purposes. Employees shall not use items provided by NVCOG to store personal or confidential information, or for purposes which are illegal, harassing, offensive, or inappropriate. The Internet shall not be used for profit-making ventures, sending chain-letters, or soliciting money. Employees shall exercise care when using NVCOG property and use such property for authorized purposes only. Negligence in the care or use of company property or the unauthorized use of company property are cause for disciplinary action up to and including termination of employment.

NVCOG reserves the right to access and inspect all of its property regardless of prior notice. NVCOG has the right to access and review all phone and computer-related communications, electronic mail, voice mail, Internet access, computer files, and information stored on disks, as well as any faxes or mail sent to employees at NVCOG's address. NVCOG property issued to an employee must be returned at the time the employee terminates employment with NVCOG, or if management requests its return. The employee may be liable for the cost of damage or unreturned property.

Employees shall not compromise the existing security measures of computer resources including, but not limited to, disabling anti-virus software, altering computer and share permissions, or running unauthorized file sharing software on workstations.

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Employees shall not install personal software or hardware on an NVCOG computer including, but not limited to, USB devices, additional network cards, digital assistants, digital cameras and printers.

Employees shall use the utmost discretion when discussing local and remote access to computer resources. Employees are responsible for keeping their network login information (username, password and domain name) private to outside persons. The Executive Director must approve an employee's disclosure of network log-in information to an outside person, even for work purposes. In such instances, the employee shall immediately change his/her password after the outside person no longer needs to log in to the NVCOG's network.

Employees shall not discuss the NVCOG's static IP addresses, firewall configuration, password policies, and known computer vulnerabilities with anyone outside the NVCOG.

To prevent unauthorized access to computer resources, employees shall log off or lock their workstation if it will be unattended, and shall log off their workstation at the end of each workday.

The Executive Director reserves the right to make exceptions to the above measures and authorize a staff member or a consultant to fulfill the request.

Dress Code

Employees are expected to present a business-like image and exercise good judgment in their attire. Employees should dress appropriately for the standards of their duties, the organizations they are visiting, or the function they are attending. Appropriate attire for daily office wear shall be business casual or as otherwise approved for the office in general by the Executive Director.

Personnel Records

Individual NVCOG employee personnel records will contain all information that relates to that employee's position, compensation, performance evaluation, or any other information regarding specific employment at NVCOG. Staff will notify the financial manager of any changes in name, home address, contact information, and individual(s) to notify in case of an emergency, and so forth.

Substance Abuse policies

NVCOG maintains a safe and drug-free work environment. Its policies in furtherance of this environment protect the organization, its employees, customers, reputation, and property from danger which may result from the unauthorized or unlawful use of drugs and alcohol.

Alcoholic Beverages and Tobacco:

Neither alcoholic beverages nor the use of tobacco products are permitted in any working area of NVCOG. Anyone found bringing alcoholic beverages onto the premises, drinking on the job, or showing physical or behavioral signs of being affected by the consumption of alcohol will not be allowed to work and will be subject to disciplinary action up to and including immediate discharge. The Executive Director may permit exceptions to this policy in advance in writing for the purposes of a special office reception, party, or dinner.

Use of Drugs:

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Anyone selling, using, or possessing illegal substances or misusing or selling legal drugs will be subject to disciplinary action, up to and including immediate discharge. Staff who report to work under the influence of an illegal substance or whose external drug use could cause damage to NVCOG's business or reputation in any way may be disciplined or terminated. The legal use of drugs is permitted to the extent that it does not adversely affect the performance of duty, the safety of the user, or the safety of others.

Rehabilitation:

Drug abuse and alcoholism are recognized as conditions for which there are effective treatment and rehabilitation. Employees, who suspect they may have a drug or alcohol problem, even in its early stages, are encouraged to seek diagnosis, and to follow through with the treatment prescribed by qualified professionals before disciplinary action become necessary.

An employee's refusal to accept an NVCOG referral for diagnosis or to follow prescribed treatment may result in termination of employment. Any NVCOG referral for diagnosis and treatment will be based solely on job performance and other employment-related factors.

On-the-Job Accidents

Any on-the-job accident must be reported to the Executive Director immediately. The initial Injury Report must be completed as soon as possible. This will enable NVCOG to assist staff in obtaining proper medical treatment at the time of injury and completing the appropriate documents required under the Worker's Compensation laws and insurance.

Inclement Weather

No leave will be granted for inclement weather if the office is officially open. In that case, every effort should be made by employees to report to work. Tardiness may be excused only by the Executive Director. Early closing of the office will be at the discretion of the Executive Director.

The Executive Director may declare the office to be physically closed in the event of inclement weather. The Executive Director may direct staff in positions capable of remote work to fulfill their duties remotely.

Disciplinary Action

NVCOG has access to types of disciplinary action it may take in response to an employee's substandard performance or conduct, including the following measures:

Oral and Written Reprimand

The Executive Director may issue an oral or written reprimand to an employee as notice that the employee's performance or conduct is substandard and to advise the employee of NVCOG expectations.

Disciplinary Probation

The Executive Director may place an employee on disciplinary probation for up to three months. The employee will receive written notice stating the reasons for the probation and the effective start and end date of the action. At the expiration of the period, the executive Director will notify the employee in writing that the probation has been lifted and whether further disciplinary action will be taken.

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Suspension

The Executive Director may temporarily suspend an employee for cause without pay for no more than five consecutive working days. The employee will receive a written notice of suspension which documents the specific acts or omissions on which the suspension is based, the expected corrective action, and the effective start and end dates of the suspension.

Dismissal / Termination

If, after remedial and/or disciplinary measures have been tried and an employee's unsatisfactory behavior does not improve, termination of employment may be necessary. The Executive Director may dismiss an employee for cause upon giving the employee written notice of the reasons for discharge and the discharge's effective date. Immediate dismissal may occur in light of serious offenses or circumstances including but not limited to: theft, acts of violence, conviction of a felony, or reporting to work in an unfit condition.

Grievance Procedure

An employee who has a complaint or grievance should make contact with the Executive Director within ten (10) working days after the instigating incident. The Executive Director shall initiate an informal conference with the employee and all staff involved with the notice of right to file a grievance if a satisfactory resolution to the problem is not accomplished. This shall be completed within twenty (20) working days of the complaint.

If the aggrieved party is not satisfied, the matter will move to the formal complaint procedure. The complaint must be written in detail, signed, and submitted to the Executive Director within ten (10) working days of results of the informal conference. The Executive Director shall conduct an investigation to attempt a resolution and will present a written determination of the facts based on their investigation. The Executive Director shall make a decision and notify in writing all parties concerned within fifteen (15) working days of the receipt of the formal written complaint. If the parties do not accept the decision of the Executive Director, a request for hearing must be submitted in writing within ten (10) working days after such decision is rendered.

The hearing body is composed of NVCOG officers and will send notice of the hearing in writing to all interested parties within ten (10) working days of the request for hearing. The notice shall include a statement of the complaint; list of invitees; date, place, and time of hearing (which shall be held within twenty (2) working days of the request for hearing) and; references to the relevant laws, procedure, grievance procedures, and pertinent regulations. Those involved may submit written briefs and may bring witnesses and evidence. The complainant has the right to counsel or representatives.

The hearing body shall, within fifteen (15) working days of the hearing, send all parties and their representatives a written determination. This determination shall include a state that the hearing was held, it's time and date, who was present, a statement of the complaint, a finding of facts, the final decision, that decision's rationale, and any action to be taken by complainant and/or the Executive Director.

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Other Policies

Equal Opportunity Statement

NVCOG policy and the Executive Director's attitude is expressed in the following:

The Naugatuck Valley Council of Governments hereby declares that equal employment opportunity is available to all without regard to race, color, religion, sex, sexual orientation, gender identity, age, national origin, marital status, physical handicap, criminal record, ancestry, present or past history of mental disorder, mental retardation, or learning disability, including, but not limited to, blindness, except where any of the above is a bona fide occupational qualification or need, or political beliefs in conformance with Title VI and VII of the 1964 U.S. Civil Rights Act, Presidential Executive Orders 11246 and 11375, and the Connecticut Governor's Executive Orders 3 and 17,1 and Connecticut General Statutes – P.A. 90-330.

Moreover, this Council will assure that no members of a protected class (African-Americans, Spanish-Speaking Americans, Gender and Sexual Minorities, Asian-Americans, Aleuts, the elderly, women and the disabled) will be discriminated against in any area of the employment process. This will include rates of pay and compensation, upgrades, promotions, transfers, demotions, layoffs and terminations.

This policy is implemented by the following actions:

1. *Distribution* — This resolution is distributed to all current employees and all job applicants.
2. *Coordination* — The Executive Director coordinates equal opportunity efforts.
3. Recruiting
 - a. When recruiting, employment advertisements are placed in the *Waterbury Republican and American* newspapers which serve the largest number of minority group people in the Region.
 - b. Professional positions are advertised nationally. Advertisements are sent to all schools with departments of city planning or similar programs. Professional positions are also advertised in the American Planning Association JOBS Publication. When possible, the NVCOG interviews for positions at national planning conferences. When recruiting, contact is maintained with the following local organizations which are often in a position to refer qualified minority applicants:
United Way - (Association of Private Charitable Agencies in Region)
N.O.W. - (Local Community Action Program [CAP] Agency)
Connecticut Department of Labor, Employment Division
 - d. Present employees are encouraged to refer minority applicants.
 - e. "Equal Opportunity Employer" is placed in all published advertisements, and the fact stressed in contacts with professional organizations, schools, colleges and employment agencies.
 - f. When sending out "Requests for Proposals" to consultants for technical studies, RFP's are sent to minority firms.
4. Hiring
 - a. Hiring of the Executive Director is the responsibility of the NVCOG, who has adopted these policies. The Executive Director is responsible for selection of his staff within appropriations established by the NVCOG. He is instructed to follow a policy of Equal Employment Opportunity in his recruitment and selection. Other staff members who occasionally interview prospective employees are also so instructed by the Executive Director.

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5. Sub-professional Interns and Planning Training

a. Minority group persons are encouraged to pursue careers in planning through the following measures:

1. Planning internships are made available to minority group members when the work program calls for personnel of this skill category.
2. In hiring work-study students, low income and minority group members are given primary consideration.
3. Scheduled staff meetings and attendance at planning related meetings and conferences assist in broadening planning knowledge and interest.

b. All employees are encouraged to increase their skills and job potential through participation in training programs.

6. Placement and Promotion

a. Placement and promotion decisions are made by the NVCOG who has adopted this policy. The Executive Director, who makes placement and promotion recommendations to the NVCOG, is instructed to do so without discrimination on the basis of race, color, religion, sex, age, national origin, marital status, physical handicap, learning disability, criminal record, ancestry, or political beliefs.

b. Promotion of minority employees is encouraged as they increase their skill and job potential level.

7. Pay, Fringe Benefits, and Working Conditions

a. Non-discriminatory pay, fringe benefits and working conditions are assured by periodic examination of present employees performing equivalent duties and adjusting for inequities.

8. *Contracts* — Contracts with consultants and other contractors doing work for the Council contain non-discrimination clauses, and the Council encourages non-discrimination practices by contracting with those who have in practice policies on non-discrimination.

9. *Monitoring of Policies* — These policies are monitored; a semi-annual report prepared; and changes and additions to these policies made when and where appropriate.

II. Equal Employment Officer

The Policy Coordinator of the Naugatuck Valley Council of Governments, located at 49 Leavenworth St. Suite 303, Waterbury, CT, 6702 is the NVCOG's equal employment officer.

III Employment Expansion and Numerical Targets

Given the funding vagaries of the NVCOG's federal, state, and local funding sources, a time table for further staff improvement is impossible. It is pledged that when staff leave and/or when new openings occur, the NVCOG will continue the types of efforts described above and will continue to be alert to and take advantage of and for the Volunteer programs, work-study programs, JTPA, Summer CAP programs, and others of assistance to the minority, female and underemployed persons of this NVCOG region.

Affirmative Action Policy Statement

It is the policy and practice of the NVCOG to assure that no person will be discriminated against or denied the benefits of any activity, program or employment process receiving public funds, in or in part, in the areas of employment, recruitment, advertising, hiring, upgrading, promoting, transferring, demoting, layoffs, terminations, rehiring, employment and/or rates of pay and other compensations.

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This firm is an Affirmative Action/Equal Opportunity Employer and is strongly committed to all policies which will afford equal opportunity to all qualified persons without regard to an individual's race, color, religious creed, age, sex, marital status, national origin or ancestry, sexual orientation, the request or requirement for genetic background information, present or past history of mental disorder, mental retardation, learning disability or physical disability, including by not limited to, blindness, conviction of a crime unless provisions of Connecticut Gen Statutes 46a-60(b), 45a-80(b), or 46a-81(b) are controlling or there is a bona fide occupational qualification excluding individuals in any of the protected groups. Such action shall include: Employment, upgrading, promoting, demotion or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship, pre-apprenticeship and/or on-the-job training. This policy and practice applies to all persons, particularly those who are members of the protected classes identified as being African American, Hispanic, Asian, American Indian, Women and persons with disabilities

This firm will implement, monitor, enforce and achieve full compliance with this Affirmative Action Policy Statement in conjunction with the applicable federal and state laws, regulations and executive orders, and the E.E.O. contract provisions listed below:

1. Civil Rights Act of 1964 as amended
2. Presidential Executive Order 11246 as amended by 11375
3. Title 23 U.S.C. 140
4. Title 49 C.F.R. Part 26
5. Governor's Executive Orders #3, #9, #11, and #17
6. Connecticut Code of Fair Practices (46a-70-81)
7. Connecticut Fair Employment Practices Act
8. American with Disabilities Act of 1990
9. Public Act No.91-58
10. Civil Rights Act of 1991
11. Specific Equal Employment Opportunity Responsibilities
12. Required Contract Provisions Federal Aid Construction Contracts
13. A(76) Affirmative Action Requirements
14. Training Special Provision
15. Minority Business Enterprises as Subcontractors
16. Standard Federal Equal Employment Opportunity Construction Contractor Specification
17. Nondiscrimination Act
18. Sexual Harassment 46a-60(a)-8
19. Connecticut Credit Discrimination Law 36-436 through 439
20. Title I of the State and Local Fiscal Assistance Act of 1972

In implementing this policy and ensuring that equal opportunity is being provided to protect class members, each time a hiring opportunity occurs the NVCOG will contact and request referrals from minority and female organizations, referral sources, and media sources. All advertising will emphasize that the NVCOG is an Affirmative Action/Equal Opportunity Employer.

In order to substantiate the NVCOG's efforts and affirmative actions to provide equal opportunity, the NVCOG will maintain and submit, as requested, documentation such as referral request correspondence, copies of advertisements

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utilized and follow-up documentation to substantiate that efforts were made in good faith. This firm will maintain internal EEO/affirmative action audit procedures and reporting, as well as record keeping systems.

It is understood by the NVCOG, including the Equal Employment Opportunity Officer and supervisory and managerial personnel that failure to effectively implement, monitor and enforce the NVCOG's affirmative action program and failure to adequately document the affirmative actions taken and efforts made to recruit and hire minority and female applicants, in accordance with our affirmative action program in each instance of hire, will result in the NVCOG being required to recommit itself to a modified and more stringent affirmative action program prior to receiving approval. It is recognized that an approved affirmative action program is a prerequisite for performing services for state and federal contracting agencies. Managers and supervisors are being advised of their responsibilities to ensure the success of the program. The ultimate responsibility for the Affirmative Action Program rests with the Executive Director. However, day-to-day duties will be coordinated the Equal Opportunity Officer for the NVCOG.

Equal Opportunity Complaint Procedure

The NVCOG's Complaint Procedure will address discrimination complaints regarding race, color, religion, age, sex, gender identity, sexual orientation, marital status, physical disability (including but not limited to blindness), criminal record, national origin or ancestry or mental disorder (or history thereof), from both current and prospective employees. *These individuals have the right to make full utilization of this Complaint Procedure without in any way jeopardizing their current or prospect employment status.* The components of the NVCOG'S Complaint Procedure are the following:

1. The Equal Opportunity Employment Officer will receive all written complaints of discrimination. These may be direct from the employee or upon referral from a supervisor who has received a complaint from an employee.
2. All discrimination complaints filed under this procedure will be accepted for investigation up to and including thirty (30) days after the date of the alleged discriminatory act.
3. All complaints will be recorded on the "Notice of Discrimination Complaint" form and signed by the complainant. At this time, the complainant will be counseled as to the other avenues of redress open to him or her; i.e., the complaint procedure of the Commission on Human Rights and Opportunities and/or the Connecticut Department of Transportation Office of Contract Compliance.
4. The Office of Contract Compliance and the Transportation commissioner will be notified simultaneously of all complaints and of the complaint's ultimate resolution.
5. All complaints will be investigated and processed by the NVCOG's Equal Employment Opportunity Officer within thirty (30) days after their receipt.
6. The complainant will be notified, in writing, by the Equal Employment Opportunity Officer regarding the results of the investigation and the final disposition of the complaint, including any proposed remedial action.
7. Should the complainant disagree with the Equal Opportunity Employment Officer's decision, he or she can still avail himself or herself of any or all, of the other avenues of redress previously explained (see Number 3).

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8. In the event of a complaint against the Equal Opportunity Employment Officer, complainants will be advised to utilize the Commission on Human Rights and Opportunities complaint procedure.

9. The Equal Employment Opportunity Officer will take the necessary steps to ensure the confidentiality of all Title VII complaint records and of any counseling done in the course of the complaint procedure.

Sexual Harassment Policy

It is the established policy of the NVCOG to ensure equal employment opportunity and to prevent discrimination in all practices. Sexual Harassment is a type of sex discrimination. It is prohibited by Title VII of the Civil Rights Act, as amended, and by Connecticut General Statute 46a-60 (a) (8) as a Discriminatory Employment Practice.

Sexual Harassment is defined as: “any unwelcome sexual advance or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a *term or condition* of an individual’s *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 substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.” In addition, Sexual Harassment can include rude or offensive language or jokes of a sexual nature.

Sexual Harassment will not be tolerated by NVCOG and will be grounds for disciplinary action. Complaints of sexual harassment will be processed by our Equal Employment Opportunity Officer through the established Affirmative Action Complaint Procedure.

It is not the NVCOG’s intention to regulate social relationships that are freely entered into by employees. However, it is our affirmative duty to develop and maintain a workplace free of sexual harassment and intimidation. We expect the full support and cooperation of every employee to achieve this goal.

Drug-Free Workplace Policy Statement

NVCOG prohibits unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the NVCOG workplace. Employee violation of the policy will be subject to disciplinary action as specified in the NVCOG’s personnel policies.

To fulfill this policy, as required by Public Law 100-690 Title V, Subtitle D, 41 USC 701 et seq., NVCOG will provide the policy to employees as part of the Council’s personnel policies. Employees must notify NVCOG in writing within five days of a conviction on any criminal drug statute violation. NVCOG is required to notify federal grantor agencies within ten days after receiving a notice from employee. NVCOG may also bear additional notification responsibilities from other grantors. NVCOG will inform employees convicted of any criminal drug statute violation of its notification responsibilities after the convicted employee has submitted their notification of conviction.

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CODE OF ETHICS

Statement of Purpose

The purpose of this code is to set forth standards of ethical conduct; to assist public officers, officials and employees in establishing guidelines for their conduct; and to develop and maintain a tradition of responsible and effective public service. In recognition of these goals, there is hereby established for the Naugatuck Valley Council of Governments council and staff the following Code of Ethics.

Definitions

As used in this chapter, the following words or phrases, unless a different meaning is required by the context or is specifically prescribed, shall have the meanings indicated:

COUNCIL

As the Naugatuck Valley Council of Governments (NVCOG)

MEMBER

A municipality that has joined the Council through the ratification of an ordinance

REPRESENTATIVE

A designated individual who acts on the official behalf of a member

BOARD

The group of Representatives who comprise the Council body

PROFESSIONAL STAFF

Includes all employees of the Council, such as the NVCOG Executive Director, interns, and temporary workers

COUNCIL PERSONNEL

Includes all officers, officials, employees and professional staff of the Naugatuck Valley Council of Governments

AGENCY

Includes all, commissions, committees and the Council

OFFICER, OFFICIAL OF THE COUNCIL

Persons serving on the Council, commissions, or committees, whether those persons are officers, officials or representatives, and are elected or appointed

PERSONAL INTEREST

As distinguished from private financial interest, includes an interest arising from a blood or marriage relationship or close business association

PRIVATE FINANCIAL INTEREST

Includes the private financial interest of a spouse or minor child of an officer, official or employee of the Council

Standard of Service

All officers, officials and employees of the Council should be loyal to the objectives and purposes of the Council as expressed by the by-laws and Council and the programs developed to attain those objectives. All should adhere to the rules and regulations of performance and work established as the standards for their positions by the appropriate authority. They should not exceed their authority nor seek to have others do so, and they shall work in full cooperation with other public officers, officials and employees unless prevented from so doing by law, by good conscience or by the officially recognized confidential nature of their work.

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Affixed to this Code of Ethics is Appendix I which addresses the additional rules of conduct for the Council's professional staff. Officials and officers of NVCOG, unless professionally engaged as an NVCOG employee, shall not be subject to the professional rules of conduct.

Use of Public Property by Council Personnel

No Council officer, official, or professional staff shall request or permit himself or herself or others the use of Council-owned or -leased vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided in conformance with established Council policies for use by such officers, officials or employees in the conduct of Council business.

Special Consideration Prohibited

No Council officer, official, or professional staff shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

Conflict of Interest Prohibited

No officer, official, or professional staff of the Council shall engage in any business or transaction or shall have a private financial interest or personal interest, direct or indirect, which is incompatible or in conflict with the proper discharge of his or her official duties in the public interest or would tend to impair the independence of judgment or action in the performance of the official duties of the officer, official or employee of the Council.

Financial Interest Restricted

No member of the Council or any other officer, or professional staff of the Council shall be financially interested, directly or indirectly, either as principal, surety, officer, partner or otherwise, except as a minority stockholder or except as a director in a corporation, in any contract with sales to, purchases from or compensable services made with or rendered to the Council. The provisions of this section shall not apply to any contract awarded to the lowest responsible bidder after public advertisement.

Confidential Information

Except as may be required by law, no officer, official, or professional staff of the Council shall disclose any confidential information concerning the property, government business or affairs of the Council, and neither shall such officer, official or employee use such information to advance the private financial interest of himself or herself or others.

Acceptance of Gifts, Gratuities, and Favors Restricted

No Council officer, official,, or professional staff shall accept or solicit any gift greater than \$50 in value where such measurement is possible, whether in the form of service, loan, thing, promise or any other form, from any person who, to his or her knowledge, is interested, directly or indirectly, in any manner whatsoever, in business dealings with the Council, or which gift may tend to influence such officer, official or employee in the discharge of his or her official duties, in granting any improper favor, service or thing of value as understood here.

Appearance on Behalf of Private Interests

No Council officer, official, or professional staff shall appear in behalf of private interests before the Council, nor shall such officer, official, or professional staff represent private interests in any action or proceeding against the Council in any litigation when said appearance or representation would be in conflict with or would tend to impair his or her independence of judgment and action in the performance of official duties as such officer, official or professional staff. A

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representative of a member shall not appear before the Council except on behalf of the member's constituents in the course of performing his or her duties as a representative of the member. An officer or official may appear before the Council in the performance of official, public or civic obligations.

Disclosure of Interests Required

Any Council officer, official, or professional staff who has a private financial interest in any action, legislative or otherwise, by the Council and who is a member of, participates in discussion with or gives an official opinion to the Council shall disclose on the written records of such agency the true nature and extent of such interest. This section shall not apply to:

1. Contracts awarded to the lowest responsible bidder after public advertisement.
2. Unpaid appointed officials during a declared state of emergency.
3. Matters requiring disclosure to or approval by a court.
4. Interests by virtue of ownership of stock in a publicly held corporation in an amount less than 10% of all issued and outstanding stock.

Political Activities by Council Personnel Restricted

No paid or unpaid officer, official, or professional staff appointed by the Executive Director shall use the prestige of his or her position in behalf of any political party.

No Council officer, official, or professional staff shall promise an appointment to any paid position under the Council as a reward for any political activity.

Commission on Ethics

There is hereby established a Commission on Ethics consisting of five members. The Commission membership shall be comprised of NVCOG's Chairperson, Vice-Chairperson, Treasurer, and Secretary as well as one at-large member of the board selected by simple majority vote at each annual meeting of the Council.

If a vacancy occurs before the end of a term, a member shall be appointed by the Council for the unexpired portion of the term.

When an officer, official, or professional staff has doubt as to the applicability of a provision of this chapter to any specific situation, he or she may apply to the Commission on Ethics for an advisory opinion and shall be guided thereby. Such officer, official, or professional staff shall have an opportunity to present his or her interpretation of the facts at issue and the applicable provision or provisions of this chapter, as requested by him or her, before such advisory opinion is made.

Powers and Duties of the Commission

The Commission on Ethics established by this chapter shall have the power and duty of enforcing this code. The Commission shall adopt and promulgate reasonable rules and regulations for the administration of this code, which shall be available to any elector of the Council members upon request to the Commission. The Commission shall render advisory opinions to the Council and to officers, officials, and professional staff pursuant to written request or upon its own initiative. All requests for opinions and opinions rendered therein shall be confidential and shall not be open to public inspection or disclosure. The Commission may, in its discretion, make public opinions which it believes will be in the public interest, but no such opinion shall be made public until deletions as may be necessary have been made to prevent disclosure of the identity of the officer, official, or professional staff involved.

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Violations and Penalties

If any representative of a member, their alternate, or their proxy shall be found by the Commission to have knowingly violated the provisions of this code, the fact of such violation shall be noted upon the official records of the Council. Further, such individuals found by the Commission to have knowingly violated the provisions of this code may be removed from or made unable to serve in the positions of Chairperson, Vice-Chairperson, Treasurer, or Secretary for a period of time decided by the Council. The Council may elect to make public notice of this finding in a reasonable manner as it sees fit.

All other persons who shall be subject to this chapter and who shall knowingly violate its provisions shall be subject to removal from office in accordance with the provisions of the Council's personnel policies or other disciplinary action.

Appendix I

Professional Rules of Conduct

Professional staff will adhere to the following rules of conduct in the performance of their professional duties with NVCOG, understanding that violation of these rules may result in sanction and disciplinary action by the Commission.

Staff shall:

1. Provide adequate, timely, clear, and accurate information on all matters within their professional purview.
2. Enter into agreements and perform services when such matters only involve conduct known to be legal and in accordance with this Code of Ethics.
3. Provide written notification to and seek the permission of NVCOG when taking on a position in planning or a related profession alongside their NVCOG duties.
4. Accept compensation, commission, rebate, or other advantages perceived to be related to their public office or employment only from their public employer. They shall use the power of their public office only to seek those advantages which are matters of public interest and in the public interest.
5. Perform work on a project only if there is no reasonably obtained belief that direct financial or personal gain to them, their families, or those living in their households will result from such project. They may perform work on such a project if, after written notification is provided to their employer, their employer consents to such work and project.
6. Accept and perform work on a project only if they know they can achieve the levels of professional promptness, honesty, competency, and rigor required by the client or the circumstances of the project.
7. Accept an assignment from a client or employer to publicly advocate a position on a planning issue that is indistinguishably adverse to a position they publicly advocated for a previous client or employer within the past three years only if: (1) they determine in good faith after consultation with other qualified professionals that their change of position will not cause present detriment to their previous client or employer, and (2) they make full written disclosure of the conflict to their current client or employer and receive written permission to proceed with the assignment.
8. Respect the stated or implied confidentiality of information, when such implication shall be understood by the divulgence of information causing embarrassment or detriment to a client or employer. They shall divulge such information only when (1) required to by law, (2) when such divulgence would prevent a breach of law, and (3) when such divulgence would prevent substantial injury to the public. (2) and (3) shall be recognized as valid justification for divulgence only when the facts and issues relevant have been decided, separate opinions from qualified professionals from the same client or employer have

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been acquired, and all other practicable, reasonable methods of attaining reconsideration on the matter have been exhausted.

9. Engage in private communications as public officials or employees when the subjects in such conversation do not relate to a matter over which they have the authority to make a final, binding decision, so long as such communications are not prohibited by law or organizational rule, procedure, or custom.
10. Engage only in lawful communications with decision-makers involved in the planning process.
11. Accurately and honestly represent and attribute the qualifications, experiences, education, products, views, and findings of other professionals and themselves.
12. Treat and address all people with fairness, respect, and an egalitarian mind.
13. Honestly and completely cooperate with and produce any and all information requested by the Commission on Ethics which is associated with a complaint filed with or investigation by said Commission.
14. Refrain from using the threat or act of retaliation against those who file ethics complaints.
15. Refrain from using the threat or act of filing an ethics complaint to gain an advantage.
16. File only those charges of ethical misconduct only when such charges are justified and serious.
17. Take only those actions which reflect positively on their professional fitness and are in line with this Code of Ethics and other rules of conduct to which they are bound.

These Rules of Conduct are derived from the Rules of Conduct of the American Institute of Certified Planners (AICP).