

## CACHE MOSQUITO ABATEMENT DISTRICT

### ETHICAL BEHAVIOR POLICY

#### **Improper Use of Official Position**

No trustee or employee shall:

- Engage in any transaction or activity which is, or to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties;
- Have a financial or other private interest, direct or indirect, personally or through his or her immediate family, in any matter upon which the employee is required to act in the discharge of his or her official duties, and fail to disqualify him or herself from acting or participating;
- Fail to disqualify him or herself from acting on any transaction which involves CMAD and any person who is, or at any time within the preceding twelve (12) month period has been a private client of his or hers, or of his or her firm or partnership;
- Have a financial or other private interest, direct or indirect, personally or through his or her immediate family, in any contract or transaction to which CMAD may be a party, and fails to disclose such interest to the appropriate authority prior to the formation of the contract. This paragraph shall not apply to any contract awarded through the public bid process in accordance with applicable law.
- Use his or her official position for a purpose that is, or would to a reasonable person appear to be primarily for the private benefit of the employee, rather than primarily for the benefit of CMAD;
- Use or permit the use of any person, funds, or property under his or her official control, direction, or custody, or of any CMAD funds or property, for a purpose which is, or to a reasonable person would appear to be, for something other than a legitimate purpose.
- Except in the course of official duties, assist any person in any transaction where the employee's assistance is, or to a reasonable person would appear to be, enhanced by that employee's position with CMAD;
- Regardless of prior disclosure thereof, have a financial interest, direct or indirect, personally or through his or her immediate family, in a business entity doing or seeking to do business with CMAD, and influence or attempt to influence the selection of, or the conduct of business with that business or entity;

#### **Accept Gifts or Loans**

No trustee or employee shall:

- Ask for or receive, directly or indirectly, any compensation, gift, gratuity, or thing of value, or promise thereof, for performing or for omitting or deferring the performance of any official duty. However, unsolicited gifts with an aggregate economic value of \$50.00 or less from a single source in a calendar year are allowed.

### **Disclose Privileged Information**

No trustee or employee shall:

- Disclose or use any privileged or proprietary information gained by reason of his or her official position for the immediate or anticipated personal gain or benefit of the employee or any other person or entity;

### **Financial or Beneficial Interest in Transactions**

No trustee or employee shall:

- Regardless of prior disclosure an employee or officer may not participate in or benefit from (personally or through his or her family) a contract or agreement where that employee or officer acted as an agent of CMAD. This includes receiving compensation, gratuity or other benefit from an interested party of an agreement or contract with CMAD.

### **Nepotism**

No trustee or employee shall:

- Violate *Utah Code* § 52-3, which prohibits employment of relatives, with few exceptions.

### **Misuse of Public Resources or Property**

No trustee or employee shall:

- Violate *Utah Code* § 76-8-4, which delineates the unlawful use of public funds and destruction of property, including records.

### **Outside Employment**

No trustee or employee shall:

- Retain secondary employment outside of CMAD employment, which, as determined by the Board of Trustees, and according to Utah Administrative Code R477-9-2, interferes with an employee's performance, conflicts with the interests of CMAD or the State of Utah, or gives reason for criticism or suspicion of conflicting interests or duties.

### **Political Activity**

Except as otherwise provided by law:

- The partisan political activity, political opinion, or political affiliation of an applicant for a position with CMAD may not provide a basis for denying employment to the applicant.
- A CMAD trustee's or employee's partisan political activity, political opinion, or political affiliation may not provide the basis for the officer or employee's employment, promotion, disciplinary action, demotion, or dismissal.

- A CMAD employee may not engage in political campaigning or solicit political contributions during hours of employment.
- A CMAD trustee or employee may not use CMAD equipment while engaged in campaigning or other political activity.
- A CMAD trustee or employee may not directly or indirectly coerce, command, or advise another CMAD trustee or employee to pay, lend, or contribute part of the trustee's or employee's salary or compensation, or anything else of value to a political party, committee, organization, agency, or person for political purposes.
- A CMAD officer or employee may not attempt to make another officer or employee's employment status dependent on the officers or employee's support or lack of support of a political party, affiliation, opinion, committee, organization, agency, or person engaged in political activity.
- A CMAD employee who has filed a declaration of candidacy may:
  - i. be given a leave of absence for the period between the primary election and the general election; and
  - ii. use any vacation or other leave available to engage in campaign activities.
- Neither the filing of a declaration of candidacy nor a leave of absence under this section may be used as the basis for an adverse employment action, including discipline and termination, against the employee.
- Nothing in this chapter shall be construed to:
  - i. prohibit a CMAD trustee or employee's voluntary contribution to a party or candidate of the officer or employee's choice; or
  - ii. permit a CMAD trustee or employee partisan political activity that is prohibited under federal law.
- No CMAD trustee or employee shall solicit or participate in soliciting any assessment, subscription, or contribution to any political party during working hours on the premises of any CMAD property.
- No CMAD trustee or employee shall promise any appointment to any position with CMAD as a reward for any political activity.
- A CMAD employee who is appointed as a trustee with CMAD shall terminate CMAD employment prior to being sworn into the appointment.

### **Fair and Equal Treatment**

- No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any appointive public office because of such person's race, color, age, religion, sex, national origin, or functional limitation as defined by applicable state or federal laws, if otherwise qualified for the position or office.
- No CMAD trustee or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

## Prohibited Conduct After Leaving CMAD

- No former employee shall, during the period of one (1) year after leaving CMAD office or employment:
  - i. Disclose or use any privileged or proprietary information gained by reason of his/her CMAD employment for his/her gain or anticipated gain, or for the gain or anticipated gain of any person, unless the information is a matter of public knowledge or is available to the public on request;
  - ii. Assist any person in proceedings involving an agency of CMAD with which he/she was previously employed, involving a matter in which he or she was officially involved, participated or acted in the course of duty;
  - iii. Represent any person as an advocate in any matter in which the former employee was officially involved while a CMAD employee;
  - iv. Participate as a competitor in any competitive selection process for a CMAD contract in which he or she assisted CMAD in determining the project or work to be done or the process to be used.