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**Utica Water and Power Authority**

**Conflict of Interest Policy**

**PURPOSE:**

Utica Water and Power Authority (Utica) Employees will maintain the highest ethical standards in the conduct of Utica affairs. The intent of this policy is that each associate will conduct the Utica’s business with integrity and comply with all applicable laws in a manner that excludes considerations of personal advantage or gain.

The following is a summary of the Utica’s policy with respect to (1) gifts, favors, entertainment and payments given or received by Utica Employees, (2) potential conflicts of interest and (3) certain other matters:

**GENERAL POLICY APPLICATION:**

**Gifts, Favors, and Payments by the Utica:** Gifts, favors, and payments may be given to others at Utica expense, if they meet all the following criteria:

1. They are consistent with accepted business practices

2. They are of sufficiently limited value and in a form that will not be construed as a bribe or payoff

3. They are not in violation of applicable law and generally accepted ethical standards; and

4. Public disclosure of the facts will not embarrass Utica.

Payments, commissions, or other compensation to or for the benefit of Employees of customers (or their family members or Employees) not required by written contract are contrary to Utica policy.

**Gifts, Favors, Entertainment and Payments Received by Utica Employees:**

1. Employees shall not seek or except for themselves or others any gifts, favors, entertainment, payments without a legitimate business purpose nor shall they seek or accept personal loans other than conventional loans at market rates from lending institutions) from any persons or business organizations that do or seek to do business with or is a competitor of the Utica. In the application of this policy:

a. Employees may accept for themselves, and members of their families’ common courtesies usually associated with customary business practices. These include but are not limited to:

* Lunch and/or dinner with vendors sometimes including spouses if the invitation is extended by the vendor.
* Gifts of small value from vendors such as calendars, pens, pads, knives, etc.
* Tickets to events (such as sports, arts, etc.) are acceptable if offered by the vendor and the vendor accompanies the associate to the event. These are not to be solicited by the Utica associate and must be approved by the appropriate Utica officer.
* Overnight outings are acceptable under the condition that individuals from either other companies or the vendor are in attendance. The associate must have prior approval from the appropriate Utica officer.
* The receipt of alcoholic beverages is discouraged.
* Gifts of perishable items usually given during the holidays such as hams, cookies, nuts, etc., are acceptable.

b. A strict standard is expected with respect to gifts, services, discounts, entertainment, or considerations of any kind from suppliers

* Day outings such as golf, fishing, and hunting are acceptable with prior approval from the appropriate Utica official. The vendor must be in attendance and participation by the associate's family members is not acceptable.
* Use of vendor's facilities (vacation homes, etc.) by Employees or families for personal use is prohibited. In the event the vendor is present for the duration of the visit such a situation is acceptable as long as it is only once per year and for limited duration, i.e. a long weekend. The associate must have prior approval from the appropriate Utica officer.
* It is never permissible to accept a gift in cash or cash equivalent such as stocks or other forms of marketable securities of any amount.

2. Management Employees should not accept gifts from those under their supervision of more than limited value.

**Conflicts of Interest:**

Employees should avoid any situation which involves or may involve a conflict between their personal interest and the interest of the Utica. As in all other facets of their duties, Employees dealing with customers, suppliers, contractors, competitors, or any person doing or seeking to do business with the Utica are to act in the best interest of the Utica. Each associate shall make prompt and full disclosure in writing to their manager of any potential situation which may involve a conflict of interest. Such conflicts include:

1. Ownership by associate or by a member of their family of a significant interest in any outside enterprise which does or seeks to do business with or is a competitor of the Utica.

2. Serving as a director, or in a managerial or technical capacity with an outside enterprise which does or is seeking to do business with or is a competitor of the Utica. Exceptions to this can be approved by the General Manager.

3. Acting as a broker, finder, go-between or otherwise for the benefit of a third party in transactions involving or potentially involving the Utica or its interests.

4. Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the associate from acting in the best interest of the Utica.

**Confidential Information:**

The revelation or use of any confidential product information, data on decisions, plans, or any other information which might be contrary to the interest of the Utica without prior authorization, is prohibited. The misuse, unauthorized access to, or mishandling of confidential information, particularly personnel information, is strictly prohibited and will subject an associate to the Discipline Policy up to and including immediate discharge.

**Compliance:**

Any violation of this policy will subject the associate to Administrative disciplinary action or immediate discharge. Any Utica associate having knowledge of any violation of the policy shall promptly report such violation to the appropriate level of management. Each Director and Utica officer of Utica Water Utica is responsible for compliance in their area of responsibility. When questions arise concerning any aspect of this policy, contact the general manager.

**Ethics Training:**

All Directors, designated staff, and members of all commissions, committees and other bodies that are subject to the Brown Act shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 et seq. as may be amended from time to time.

All ethics training shall be provided by providers whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.

Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person, or online. Attendees shall obtain proof of participation after completing the ethics training. Applicable training costs will be reimbursed by the Utica.

Utica staff shall maintain records indicating both the dates that attendees completed the ethics training and the name of the provider that provided the training. These records shall be maintained for at least five years after the date of training and may be public records subject to disclosure under the California Public Records Act.

Utica staff shall provide the prospective attendees with information on available training that meets the requirements of this policy at least once every year.

A single training course may be used to satisfy the obligation to receive training for multiple agencies or positions.