



## **SALEM HOUSING AUTHORITY CODE OF ETHICS/CONDUCT**

### **WHY MUST WE HAVE A CODE OF ETHICS**

Government only works well if people trust those who work for the Government. They must believe that important decisions are based on honest analysis of the information at hand and not on self-interest. That means that we who work for government must be extremely careful to avoid making, or even looking as if we might be making, anything but fair and unbiased decisions.

In order to do our job properly, we must have the public's confidence. All our contact with the public therefore must be completely honest and ethical. That is why we need a Code of Ethics. Our Code of Ethics will help us to be consistent in our treatment of the public and our fellow employees as we do our jobs. It is a guide and will provide examples. It cannot cover every detail of every job. In situations not explicitly covered, the spirit of the code must be followed.

This is a guide for your own protection as well as the Salem Housing Authority. If anything is unclear to you, it is important that you ask your department head or the Executive Director for help in determining how the guidelines apply to your job. Remember, the State Ethics Commission will hold you responsible for violations of the Conflict of Interest Laws (only portions of which are summarized here) whether you understood them or not and whether your violation was intentional or not.

**Attachment #3**

**The important policies you will find explained in this handbook are:**

- (1) Your own interest must never take precedence over the public interest. It must not even appear that it could happen;
- (2) You may not do anything, or fail to do any duty, if such action leads to a benefit for yourself personally or gives unfair preference to anyone;
- (3) You must do everything required of your job to make sure that the Salem Housing Authority does not fail to provide clients with appropriate services;
- (4) You may not harass, intimidate or discriminate against any co-workers or the public in doing your job;
- (5) You may not do anything which results in taking money illegally;
- (6) You may not do anything which results in the misuse or abuse of Salem Housing Authority property.

## **YOU MUST UNDERSTAND AND FOLLOW THIS CODE AND OTHER LAWS**

This Code applies to all Salem Housing Authority employees including anyone on any type of leave status such as sick leave, military leave, leave without pay, civic duty leave, and suspension.

You are required to read the Code of Ethics and abide by its rules.

If you do not follow the rules and guidelines in the Code, you will be subject to disciplinary action.

However, this code is not to be considered all inclusive. Acts not mentioned in the Code may also result in disciplinary action.

Disciplinary actions may result in termination.

If you have any doubt or misunderstanding about the Code, you should seek information regarding that doubt or misunderstanding from your Department Head or the Executive Director.

## **BREAKING OTHER LAWS MAY AFFECT YOUR JOB**

You are required to obey the laws of the United States and of its states. If you are convicted of a crime, you may face disciplinary action. This could include termination.

You must follow all of the policies and operating procedures of the Salem Housing Authority and the Department in which you work.

## **YOUR CONDUCT, ATTITUDE AND DEMEANOR ARE IMPORTANT**

You must act in a professional, courteous manner and avoid any conduct which gives the appearance of conflict of interest, or is contrary to the rules of this Code. For example, you are not permitted to do the following:

1. Use your official position for private gain.
2. Give preferential treatment to any citizen or organization unless it is required as part of your job.
3. Make work-related decisions contrary to Salem Housing Authority policies.
4. Use your official position to discriminate against others on the basis of race, sex, age, handicap, religion, sexual orientation, veteran status or national origin.
5. Use your official position to threaten or harass others. This includes sexual harassment of any kind. The Authority's Sexual Harassment Policy fully defines "sexual harassment."
6. Make any false or misleading verbal or written statements in matters of official interest.
7. In the course of your official duties, recommend or suggest, even by implication, that a member of the public retain the services of any particular accountant, attorney, or any other person, professional or business organization in connection with any official business which involves or may involve the Salem Housing Authority or is subject to competitive bidding.
8. Publish, disclose or make known in any manner or to any extent not authorized by law any information relating to: trade secrets, processes, operations, style of work or apparatus, blue prints, statistical data, personnel data, amount or source of any income, profits, losses, or expenditures of any person, firm, party, corporation or association involved in Salem Housing Authority business.
9. Release any information pursuant to the public information laws without proper authorization from the Executive Director.
10. Use your official duties to interfere with, affect or influence the results of a nomination or election for public office.
11. Use your official authority directly or indirectly to coerce, attempt to coerce, command, advise or prevent any person or body to pay, lend or contribute anything of value to any party, candidate or political committee.
12. Solicit other Salem Housing Authority employees, accept funds or anything of value for any party, political committee, agency, person or organization for political purposes, campaign for political office or wear a campaign or political button while on duty.

## **YOU SHOULD REPORT VIOLATIONS OF LAW AND THE CODE OF CONDUCT**

Every employee is expected to maintain and uphold the integrity of the Salem Housing Authority. Every employee is responsible for reporting promptly and accurately to the Executive Director violations of law that affect the administration of the Salem Housing Authority or laws of the Commonwealth. Any such reports will be treated confidentially.

## **YOUR OBLIGATIONS**

If you or a co-worker violates this code or any law relating to Salem Housing Authority business, it will tend to bring discredit upon the entire Salem Housing Authority. You are responsible for bringing to the attention of the Salem Housing Authority violations of any law relating to Salem Housing Authority business. Any such reports will be treated confidentially.

**The following sections explain the procedures for reporting acts of sexual harassment, discrimination, and other threats and harassment as well as State Ethics Commission disclosure rules.**

## **THREATS AND GENERAL HARASSMENT**

The physical, psychological and emotional well-being of all employees is of paramount concern to the Salem Housing Authority. Any threats, physical or verbal harassment, or other actions which interfere with Salem Housing Authority business should be reported to the Executive Director. You do not have to be the recipient of the threats or harassment to do this. If you are aware of such activity, you should report it. The reports will be treated confidentially. Please review the Authority's Sexual Harassment Policy for all of the details concerning what constitutes sexual harassment and all of the avenues for reporting it.

## **DISCRIMINATION**

You should report to the Executive Director any acts of discrimination as defined in this Code, Title VII of the Civil Rights Act of 1964 and Massachusetts General Laws, c. 151B, including but not limited to any discrimination against other employees or the general public in the discharge of official duties on the basis of sex, race, color, religion, national origin, age, sexual orientation, veteran status or handicap.

## **POLITICAL ACTIVITIES CAN BE A PROBLEM**

### **ELECTION LAWS**

As a Salem Housing Authority employee, you must abide by the election laws.

For example, you may not:

1. Use your official authority to interfere with, affect or influence the results of a nomination or election for public office.
2. Use your official authority, directly or indirectly, to coerce, attempt to coerce, command, prevent or advise any person to pay, lend or contribute anything of value to any party, candidate or political committee.
3. Use your official authority, directly or indirectly, to solicit, accept funds or anything of value for any party or political office.
4. You may not wear a campaign or political button while on duty.

You are permitted to:

1. Be a member of political organizations or committees.
2. Hold elective office.
3. Contribute to a candidate.
4. Contribute to an elected or non-elected political committee.
5. Campaign for, including soliciting funds, a party, candidate or political committee provided such is done as a private citizen and outside of your position as a Salem Housing Authority employee. If your job makes your position as a Salem Housing Authority employee indistinguishable from your political activity, you must refrain from any such political activity.

## **HATCH ACT**

**If you work on any projects that receive federal funds, you may be subject to a federal law known as the Hatch Act (5 U.S.C. 1501 et seq.) which governs political activities. You must ask the Executive Director if this law applies to you.**

**If the Hatch Act applies to you, you may not:**

1. Use your job or position to influence or interfere with the result of an election or nomination for office;
2. Directly or indirectly force or attempt to force, order, or advise any government employee to pay, lend or contribute anything or value to a party committee, organization, agency or person for political purposes;
3. Take active part in partisan political campaigns;
4. Organize or reorganize a political party organization or political club;
5. Directly or indirectly solicit or have any role in the management of accounting of funds for a partisan political purpose;
6. Sell tickets to, organize, promote or actively participate in a fund raising activity for a partisan candidate, political party, or political club;
7. Act in any manner which serves to promote the interest of a political party or a partisan candidate;
8. Serve as a delegate, alternate or proxy to a political convention;
9. Address a convention, caucus, rally, or similar gathering of a political party in support of or in opposition to a partisan candidate for public office or political party office; or
10. Initiate or circulate a partisan nominating petition.

## **YOU MUST AVOID CONFLICT OF INTEREST**

You must act in a manner that does not create or appear to create a conflict of interest. A conflict of interest is a situation in which an employee's private interest, or that of persons or businesses with whom he/she is closely related, influences or looks as if it might influence his/her job.

You have a right to ask the State Ethics Commission any question relating to a possible conflict of interest. Your question will be confidentially reviewed and decided by the State Ethics Commission.

Massachusetts General Laws, Chapter 268A is the conflict of interest standard for state employees. (For purposes of this Code, Salem Housing Authority employees should assume they are subject to its provisions.) It also includes criminal and civil penalties for conflict of interest violations. Those penalties are in addition to any penalties which the Salem Housing Authority may impose.

Nepotism or the appearance of nepotism is not allowed. While each case must be considered individually, in general no person will be permitted to supervise anyone with whom they have a relationship.

### **Issues Covered by Conflict of Interest Statutes**

1. You may not receive compensation or favors, except from the Salem Housing Authority, in return for performing your duties.
2. You may not offer or give compensation or favors to any present or former government employee to influence his or her official action.
3. You may not accept anything from anyone doing business with or hoping to do business with the Salem Housing Authority except in certain limited circumstances described in the following sections.
4. You may not participate in any official actions in which you or a member of your immediate family has a financial interest.
5. You may not participate in any official actions in which you have a personal or private interest.



6. You may not accept other employment which compromises your independence of judgment in the exercise of your official duties.
7. You may not use your position to gain unwarranted privileges for yourself or others.
8. No current or former employee may disclose confidential information gained by reason of his/her official position of authority.
9. A former employee may never receive compensation from or act as an attorney or agent for anyone, except on behalf of the Commonwealth or the Salem Housing Authority, with regard to any particular matter in which he/she participated at the Salem Housing Authority.
10. For one year after leaving the Salem Housing Authority, a former employee may not appear in court or before any state agency of the Salem Housing Authority on any matter which was within his/her official responsibility, even if the employee did not work on the matter, except that a former employee may work on the above on behalf of the Commonwealth or Salem Housing Authority.
11. A former employee may not act as a lobbyist before the Salem Housing Authority for one year after leaving the Salem Housing Authority.

## **WHEN YOU CAN ACCEPT LUNCHEAS AND OTHER MINOR GIFTS**

It is important to remember that the purpose of this Code is to remove the possibility that the public might think that we were influenced in our professional decisions by anything other than the facts.

Therefore, you must be particularly careful in accepting anything from any individual or companies that work with us or want to work with us, are monitored or regulated by us, or have some interest that could be affected by the way we do our jobs. These people are called "Interested Parties" in this Code.

If you have social contact with any interested parties, you must disclose that information to the Executive Director. This is true even when you pay your own way.

Many interested parties will try to make a good impression or gain access to your time of "stay on your good side" by small and thoughtful actions – lunch or dinner invitations, Christmas gifts, sporting event tickets and/or small favors. These can be a major problem for us. What may seem very minor and not influential at all to you might look different to the public if all the small favors received by various Salem Housing Authority employees from a particular interested party are tallied.

This section will help you to determine what kinds of offers are inappropriate. A good rule of thumb is – if you have a question about it, it is probably prohibited.

## **GIFTS IN GENERAL**

You may never receive anything from any interested party or anyone who could gain any advantage by the way you do your job.

In general, you may not accept gifts of any kind from anyone doing business with, or hoping to do business with, the Agency. However, there are a few situations where it may be acceptable to accept gifts. For example, at large conferences where gifts are given to all attendees, you may be able to accept these gifts. You may also accept gifts of nominal value such as candy, calendars or flowers).

The following are examples of gift situations:

### **FOOD**

You may find yourself in a situation where mealtime arrives and you are with a group of consultants, potential consultants or other interested parties who want to treat you. What do you do? First remember you will need to fill out a disclosure form for your supervisor.

- (1) If it is during the normal course of a business meeting and food is brought in and served at the consultant's place of business, then you may eat.
- (2) If the meal is a continuation of Salem Housing Authority business, you may accept the food being brought by a consultant or prospective consultant.
- (3) Frequent, excessive, or lavish meals, bar bills, greens fees, etc. are never appropriate to be paid by a consultant or prospective consultant.

### **CONFERENCES**

- (1) Honoraria:

No Salem Housing Authority employee may receive an honorarium for speaking to any group about any Salem Housing Authority activity. You may not receive an honorarium for a speech on any topic to an interested party.

- (2) Travel Expenses

You may be offered travel and/or accommodations in return for speaking to a group. The State Conflict of Interest Law has very detailed restrictions on these arrangements. Consult the Executive Director before accepting any such offer.

(3) Speaker Gifts:

If you speak at a conference about any Salem Housing Authority activity, you may accept a thank-you gift, including the conference lunch, if similar gifts are given to all speakers at the conference. You may not accept such gifts if the conference is sponsored by an interested party. It is okay to accept such gifts from a trade association or civic group conference sponsor.

(4) Conference Gifts:

You can accept given by conference sponsors to all attendees. You may not accept such gifts if the conference is sponsored by an interested party. It is okay to accept such gifts from a trade association or civic group conference sponsor.

### **PRIVATE FINANCIAL TRANSACTIONS**

If you deal with any financial institution in the normal course of doing your job for Salem Housing Authority and you cannot avoid dealing with the institution for the normal banking or financing needs of your private life – mortgage and car loans, etc. – you must disclose these dealings to the Executive Director in writing, before you begin to deal with the financial institution.

### **CAN YOU HAVE AN OUTSIDE JOB?**

You may have an outside job or business activity as long as:

- (1) The outside job or activity will not influence you in your Salem Housing Authority job.
- (2) You do not use confidential Salem Housing Authority information in your outside job or activity.
- (3) Your outside job or activity does not reduce the time you spend, or the quality of your work, or your attendance at your Salem Housing Authority job.
- (4) You do not use information obtained from your Salem Housing Authority job in outside financial transactions or to get an outside job.
- (5) No housing authority employee may be also employed by the City or by anyone who has a contract with the Authority.

You may not conduct any outside business practice during your scheduled working hours (including but not limited to real estate, retail sales, insurance, legal practice and accounting).

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Signature

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Date