

# STATEMENT of POLICY/PROCEDURE

## **Section 11.0 – Code of Ethics**

### **11.1 Purpose**

It is the policy of Community Transit that no employee or public official shall use his/her position for personal gain, avoids such conflicts of interest or appearance of conflicts of interest, that may interfere with proper management of Community Transit and that the public officials and employees of Community Transit shall not use their position to generate opportunities for private advancement or gain or for avoidance of private detriment or loss.

The Community Transit Code of Ethics is applicable to duly elected public officials and employees of Community Transit. The Code of Ethics shall be consistent with the applicable laws as described in RCW 42.23 of the Revised Code of Washington. The policies shall further act as a guide for public officials and employees of Community Transit to properly administer the function of Community Transit in a manner that best illustrates independent, impartial and responsible management of Community Transit. The Code of Ethics is intended to provide a guide for Community Transit officials and employees in avoiding situations of conduct which may give rise to an appearance of impropriety even though there is no factual or implied impropriety. The Code of Ethics shall provide protection for Community Transit, its employees and the citizens being served against public decisions which may be affected by undue influence, conflicts of interest, or any other violation of this code.

### **11.2 Definitions**

The following terms or phrases as used hereafter shall have the following meanings:

- 11.2.1** The term "Community Transit" means Snohomish County Public Transportation Benefit Area Corporation, a municipal corporation of the State of Washington.
- 11.2.2** The term "Board of Directors" means the Board of Community Transit as provided by RCW 36.57A.
- 11.2.3** The term "public official" means those duly elected persons composing the Board of Directors as provided by RCW 36.57A.
- 11.2.4** The term "employee," as used in this Code of Ethics, means a person or persons employed on a full-time or part-time basis; however, an employee does not include a person or persons contracting with Community Transit to perform consulting or special technical services.
- 11.2.5** The term "financial interest" means any legal or equitable interest which would provide a financial benefit.
- 11.2.6** The term "immediate family", as used in this Code of Ethics, includes a person's spouse, dependent children and other dependent relatives in a person's household.

### **11.3 Conflicts of Interest**

Public officials and employees of Community Transit shall not engage in any act which is in conflict with the performance of their responsibilities while performing in an official capacity for Community Transit. The following shall be deemed a conflict of interest for Community Transit public officials and employees.

## COMMUNITY TRANSIT STATEMENT of POLICY/PROCEDURE

- 11.3.1** Receives or has any financial interest in any sale or lease to Community Transit of services, materials, equipment, or property when such financial interest is received with the prior knowledge that Community Transit intends to purchase, lease or contract for such services, materials, equipment or property.
- 11.3.2** Accepts or seeks for others, any service, information or item of value on more favorable terms than those granted to the public generally, from any person, firm or organization with or providing any services, materials, equipment or property to Community Transit.
- 11.3.3** Accepts any gratuity, gift, favor or any other item of substantial economic value from any person, firm or organization providing services or seeking to provide services, materials, equipment or property to Community Transit. A conflict is deemed to exist where a reasonable and prudent person would believe that it was given for the purpose of obtaining special consideration or influence.
- The staff of Community Transit is authorized to receive certain items (gifts) for the purpose of redistribution of such item to the employees, passengers and general public in order to promote good will among such employees, passengers and general public. The Executive Director or his or her designee designates the events for which such gifts shall be received.
- 11.3.4** Influences the selection or non-selection of, or the course of doing business with, a organization, person or firm having or seeking business with Community Transit if personally or through his or her immediate family, a public official or employee has a financial interest in said person, organization or firm.
- 11.3.5** Remains an employee, officer, partner, director or consultant of any organization or firm or an employee or business associate of any person contracting with or providing any services, materials, equipment or property to Community Transit.
- 11.3.6** Uses or discloses confidential information acquired by reason of the public official or employee's position in such a way as to benefit himself/herself or any member of their immediate family.
- 11.3.7** Engages in or accepts private employment or renders services for a person, firm or organization when such employment or service is incompatible with the proper discharge of official duties for Community Transit or would impair independence of judgment or action in the performance of such official duties.
- 11.3.8** Appears on behalf of a private interest before any governmental agency regulating or funding the operations of Community Transit or represents a private interest in any litigation to which Community Transit is a part, unless the public official or employee has a personal interest and this personal interest has been disclosed to the proper authorities of Community Transit.
- 11.3.9** Knows, or, in the exercise of reasonable care, should have known that he/she directly or indirectly possesses a substantial or controlling interest in any business entity which contracts with or provides any services, equipment, materials or property to Community Transit without disclosing such interest to the proper authorities of Community Transit.

Participates in a transaction involving the appointment, termination of appointment, promotion, demotion, discipline, approval of a salary increase or decrease or the supervision of the work of a

COMMUNITY TRANSIT  
STATEMENT of POLICY/PROCEDURE

member of the immediate family or any other person in whom the employee has a financial interest.

**11.4 Resolution of Conflicts of Interest**

Employees of Community Transit may request in writing, or may be directed to provide information in writing on such matters that pertain to any real or potential conflict of interest. Requests for information are channeled through the Executive Director and will be addressed by an official body composed of appointed members of the Board of Directors, Executive Director and legal counsel who have the responsibility to investigate the issues and take appropriate corrective measures.

The Chairman of the Board of Directors will appoint a committee of Board members to address any real, implied or potential conflict of interest of any Board member. The committee will act as a fact-finding commission and shall present the findings of fact to the entire Board of Directors with a recommended course of action.

**11.5 Enforcement**

Any public official or employee of Community Transit who willfully or negligently violates this policy may be subject to disciplinary action, including termination. Further, public officials and employees of Community Transit may be subject to civil penalties as prescribed and set forth in the Revised Code of Washington and by any other governmental laws and regulations providing penalties and sanctions for actions that may be deemed inappropriate and in conflict with the discharge of the individual's official duties and responsibilities.