

# **Sullivan County CODE OF CONDUCT**

## **Table of Contents:**

**Intent**

**Ethics**

**Conflict of Interest**

**Maintenance of Records**

**Protection of Confidential Information**

**Fair Dealing**

**Federal and State Programs**

**Governmental Investigations**

**Political Activities**

**Employment Environment**

**Seeking Guidance and Reporting Violations**

**Corrective Action and/or Discipline**

**Your Responsibilities**

## **Intent**

The County of Sullivan's (sometimes referred to as "County" or "the County") Code of Conduct (the Code) applies to all volunteers, interns, employees, members of the Legislature and independent contractors (hereafter referred to as Affected Individuals).

The Code of Conduct is approved by the County's Legislature and is a formal statement of the County's commitment to the standards and rules of ethical conduct.

The County is committed to preventing the occurrence of unethical or unlawful behavior, stopping such behavior as soon as possible after discovery, and to discipline Affected Individuals who violate the Code, including Affected Individuals who neglect to report a violation.

All Affected Individuals must comply with this Code, immediately report any alleged violations of wrongdoing, and assist management and compliance personnel in investigating allegations of wrongdoing.

While these standards addressed in the Code of Conduct are intended to guide Affected Individuals in the course of their day-to-day responsibilities, they do not replace any County program policies or procedures. There may be instances that are not addressed by the Code of Conduct or existing policies and procedures, or activities that may conflict with these standards.

Affected Individuals must seek direction from their supervisor, other County management staff or the Corporate Compliance Officer in these instances.

All policies and practices including those set forth in this policy are considered workplace rules. We expect that you will adhere to all policies and practices of the County of Sullivan. It is further expected that you will conduct yourself in a professional manner at all times, and exhibit the highest level of integrity in performing your job. It is equally important to maintain a positive work environment through good working relationships with the people we serve as customers/patients/clients, and your co-workers. There are certain standards of conduct that we must all observe as good citizens and employees. While it would be impossible to list all prohibited activities, the following rules are necessary for the proper conduct of any business. Generally, no conduct which is dishonest, unethical, illegal or otherwise inappropriate will be tolerated.

The following are some, but not all examples of misconduct which may subject you to the disciplinary process:

- Theft
- Falsification of Records
- Removing, altering records, parts or materials without permission
- Abusive, inappropriate or threatening language – either in person, via email or text messages.
- Sleeping during work hours
- Misuse of County vehicle
- Failure to cooperate with an investigation
- Violation of the Corporate Compliance Policy
- Acting in an unsafe manner
- Smoking or the use of tobacco products on County property
- Sexual Harassment
- Unauthorized/careless use of county property (including records or equipment)
- Unreported or excessive absenteeism
- Release of Confidential or Proprietary information
- Possession, use/sale/ reporting to work under the influence of intoxicants or illegal drugs.
- Insubordination
- Poor work performance

It is also expected that employees maintain and contribute to a professional work environment by not contributing to or instigating gossip, hearsay or slander in any form towards coworkers, supervisors or the customers/patients/clients we serve. Employees are not permitted to conduct personal business of any kind during work hours.

This Code is NOT intended to replace the expectation of compliance with the County of Sullivan Ethics Law and the standards of conduct therein.

## **Ethics**

It is the policy of the County to observe all laws and regulations applicable to its business and to conduct business with the highest degree of integrity. To accomplish this, all Affected Individuals must obey the laws and regulations that govern their work and always act in the best interest of the customers/patients/clients, their families, and the County.

Working for the County, everyone should feel comfortable to speak their mind, particularly with respect to ethical concerns. Managers have a responsibility to create an open and supportive environment where employees feel comfortable raising such questions.

The County will investigate all reported instances of questionable or unethical behavior. In every instance where improper behavior is found to have occurred, the County will take appropriate action and will not tolerate retaliation against employees who raise genuine ethics concerns in good faith.

Affected Individuals are encouraged, in the first instance, to address such issues with their managers or the Commissioner of Human Resources, as most problems can be resolved swiftly. If for any reason that is not possible, or if an employee is not comfortable raising the issue with their manager or HR, the County Manager operates with an open-door policy.

### **Guidelines for Affected Individuals and contractors**

- You are expected to keep management staff informed of what you are doing; to document or record all services or transactions accurately; and to be honest and forthcoming with the County, regulatory agencies, and internal and external auditors.
- You are expected to comply with the County's policies and procedures, accounting rules, and internal controls.
- You are expected to function with honesty in your work for the County and with customers/patients/clients, providers, suppliers, and all others with whom the County does business.

## **Conflict of Interest**

Affected Individuals must not allow any outside financial interest or competing personal interest to influence their decisions or actions taken on behalf of the County.

Affected Individuals must avoid any situation where a conflict of interest exists or might appear between their personal interests and those of the County. The appearance of a conflict of interest may be as serious as an actual conflict of interest.

Determining whether a conflict of interest exists is not always easy to do. Affected Individuals with a conflict of interest question should seek advice from management. Before engaging in any

activity, transaction, or relationship that might give rise to a conflict of interest, Affected Individuals must seek review from their managers, HR Department, or Corporate Compliance Officer.

Failing to act properly in relation to conflicts of interest could result in criminal liability and, as such, conflicts of interest must be taken seriously by every employee and officer.

### **Guidelines for Affected Individuals and Contractors**

It is a conflict of interest for you to personally take for yourself opportunities that are discovered through the use of County property, information or position with the County; to use County property or information for personal gain; act in a manner that is contrary to your role and obligation within the County; to have the appearance of impropriety; or to compete with the County.

There are many types of situations where potential conflicts may arise. You must promptly report any actual or potential conflicts of interest to your immediate supervisor or directly to the Corporate Compliance Officer.

### **Outside Activities and Employment**

- You may not conduct outside activities during work time. Such activities interfere with your regular duties and negatively impact the quality of your work.
- You are a representative of the County in your every-day life and must represent the County positively in the community.
- Outside employment must not create a conflict of interest, the perception of a conflict of interest or conflict in any way with your responsibilities to the County or its customers/patients/clients.
- You may not accept other employment which would impair the independence and judgement in the exercise of your official duties with the County.
- You may not use or attempt to use your official position to advance or obtain any unwarranted privilege, exemption, or advantage for yourself or others.
- Any affected individual or elected official, including said affected individual/elected official's spouse, who has, will have, or acquires an interest in any actual or proposed contract, purchase agreement, leave agreement or other agreement with the County they are employed must disclose the nature and extent of said interest in writing to their immediate supervisor and the governing body of the County as soon as they have knowledge of said interest.

### **Use of County Funds and Resources**

- The County's assets are to only be used for the benefit of the County and the customers/patients/clients. Assets include funds, equipment, inventory, and office

supplies, but also concepts, business plans and strategies, information about people served, financial information, computer property rights, and other business information about the County.

- You may not use County assets for personal gain or give them to any other persons or entities, except in the ordinary course of business as part of an approved transaction.

### Confidentiality

- During your employment or contract with the County, you may acquire confidential information about the County, its staff, and customers/patients/clients that must be handled in strict confidence and not discussed with outsiders. The protection of confidential business, staff, and consumer information is very important.

### Business Dealings between the County and Affected Individuals

- The County will not be inappropriately influenced with goods or services from any business in which you or your immediate family members have a substantial interest.
- Property and resources of the County should only be used for the benefit of the County or the customers/patients/clients.

## **Maintenance of Records**

Affected Individuals must record and report all agency, customer, and financial information fully, accurately, and honestly. Records include, but are not limited to, records of the customers/patients/clients, documentation of services, accounting books or records, financial statements, timesheets or records, expense reports, vouchers, bills, payroll, claims payment records, correspondence, and any other method of communication. Affected Individuals must not omit or conceal any relevant information.

### Guidelines for Affected Individuals and Contractors

Many of the County forms are legal documents used to prove that a service was provided, to bill for a service, to record a job task, or to record specific happenings. You must document accurately and honestly, and only for those services that you provided or those events in which you were involved.

### Falsification of Records

- You must not make any false entries in any of the County's records or in any public record for any reason.

- You may not alter any permanent entries in the County's records.
- You may only approve payments or receipts on behalf of the County that are described in documents supporting the transaction. "Slush funds" or similar off-book accounts, where there is no accounting for receipts or expenditures on the County's books, are strictly prohibited.
- You may not create or participate in the creation of any records that are intended to mislead or to conceal anything that is improper.

#### Expense Records

- You must always charge expenses accurately and to the appropriate cost center or account, regardless of the financial status of the program, project, or contract, or the budget status of a particular account or line item.

#### Retention of Records

- The retention, disposal, or destruction of records of or pertaining to the County must always comply with legal and regulatory requirements and County policy.
- You may not destroy records pertaining to litigation or government investigations or audit without express written approval of the Corporate Compliance Officer.

## **Protection of Confidential Information**

The County has developed policies and procedures to assure that the confidentiality of County information and information about the customers/patients/clients is protected and released only with the appropriate authorization or for lawful reasons. All Affected Individuals are required to comply with the County's Privacy Policies. If you have any questions concerning confidential information or the Privacy Policies, contact your immediate supervisor, the County Privacy Officer, or the Corporate Compliance Officer.

#### **Guidelines for Affected Individuals**

You must treat all County records and information as confidential.

You may not release confidential information without the proper authorization. Confidential information includes not only information about the people that we serve and their families, but

also non-public information about the County that may be of use to the County's competitors or harmful to the County or its customers/patients/clients if released.

You must protect County information and avoid discussing or disclosing County information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside the County. Furthermore, staff may not share confidential County information with anyone, except where required for a legitimate business purpose.

County information may not be removed from County property without permission from a supervisor or administrator with proper authority over the information. Ask your supervisor if you are not sure whether certain information is confidential.

You must direct all media inquiries to the County's Director of Communications to ensure that we speak with one voice and provide accurate information. The County is a high-profile employer in the community, and from time to time, employees may be approached by reporters and other members of the media. All employees of the County are expected to refrain from making comments they may not be approved to make. This paragraph is not intended for the members of the Legislature.

### Termination of Employment

- You may not use any confidential information gained from your employment or contract with the County for your or another company's benefit. You may not take copies of any reports, documents, or any other property belonging to the County.
- Upon termination of employment or contract with the County, you must return all County property including, but not limited to, copies of documents, notes, and other records containing confidential information; computer disks; County ID; and keys and credit cards.

### Information Security

- You are responsible for properly using information stored and produced by all of the County's computer systems.
- Computers, Internet access, email, or other office communications systems are intended for business-related purposes only and not for uses that may be disruptive, offensive, harassing, or harmful to others.
- Do not share your system user name or password with another person, including other employees of the County or allow another to access the computer with your password.
- All Affected Individuals are required to comply with the County Security Policies. If you have any questions concerning information security, contact your immediate supervisor, the County Security Officer, or the Corporate Compliance Officer.

## Fair Dealing

Conducting business with providers, contractors, suppliers, customers/patients/clients, and competitors may pose ethical problems. Affected Individuals are expected to deal fairly with providers, contractors, customers/patients/clients, and competitors.

The County is committed to competing solely on the merit of our services, avoiding any actions that create a perception that favorable treatment of outside entities by the County was sought, received, or given in exchange for personal business courtesies. Business courtesies include gifts, gratuities, meals, refreshments, entertainment, or other benefits from persons or companies that constitute, or could reasonably be perceived as constituting, unfair business inducements that would violate law, regulations, or policies of the County or customers/patients/clients, or would cause embarrassment or reflect negatively on the County's reputation.

The Code of Conduct and the following guidelines are intended to help you make appropriate, responsible and correct decisions in these and all matters:

### Kickbacks and Rebate

- Kickbacks and rebates in cash, credit, or other forms are prohibited. They are not only unethical, but in many cases, illegal.

### Gifts and Gratuities and Entertainment

- You may not solicit money, gifts, gratitude, or any other personal benefits or favors of any kind from providers, contractors, producers, accounts, or customers/patients/clients and their families.
- You must not offer or accept entertainment that is not a reasonable addition to a business relationship but is primarily intended to gain favor or to influence a business decision.
- You may not accept any gift or benefit exceeding \$75.00 in any given 12 month period from any person or entity that you know, or should know, does or intends to do, business with the County.
- You may accept a gift from a family member or personal friend which is customary on family and social occasions, such as flowers, fruit baskets, and other modest presents that commemorate a special occasion. You may accept occasional meals, refreshments, entertainment, and similar business courtesies that are shared with the person who has offered to pay for the meal or entertainment provided that:
  - They are not inappropriately lavish or excessive



- They are not frequent and do not reflect a pattern of frequent acceptance of courtesies from the same person or entity
- The courtesy does not create the appearance of an attempt to influence business decisions, such as accepting courtesies or entertainment from a supplier who contract is expiring in the near future
- The employee accepting the business courtesy would not feel uncomfortable discussing the courtesy with their manager or co-worker or having the courtesies known by the public

#### Agreements with Contractors and Vendors

The County must assure that any agreements with contractors and vendors clearly and accurately describe the services to be performed or items to be purchased. Performance standards, and the applicable compensation, if any, must be reasonable in amount, not be excessive in terms of industry practice, and must equal the value of the services rendered.

#### Improper Use of Funds or Assets

Use of the County's funds or assets for any improper purpose is strictly prohibited. If you are aware of or have reason to believe that funds or assets are being improperly used, you must report this immediately to your supervisor or the Corporate Compliance Officer.

## **Federal and State Programs**

The County is committed to complying with the laws and regulations that govern the Federal and State programs that it administers. Policies and procedures, the Compliance Program, and this Code of Conduct are developed to provide guidance in your day-to-day work. You must abide by the policies and procedures and the standards set by the County.

## **Governmental Investigations**

There may be times that the County is asked to cooperate with an investigation by a Federal or State governmental agency, or to respond to a request for information. A request may be formally addressed to the County or an individual within the County. Affected Individuals must report any requests for information or cooperation with an investigation to the Compliance Officer and the County Attorney immediately.

## **Political Activity**

No affected individual may use government equipment, including government uniforms, while campaigning for office, or while campaigning on behalf of another candidate.

No affected individual may place campaign literature or signs advocating or supporting or opposing any person or issue where these items may not be placed at or within any county owned or operated building.

## **Employment Environment**

The County is committed to creating a safe and professional workplace where employees and others are treated with respect and without regard to their race, sex, age, religion, national origin, color, marital status, familial status, genetic predisposition or information, disability, sexual orientation, gender identity (including transgender status) or gender expression, or other protected characteristics under state, federal or local law. Business integrity, teamwork, trust, and respect are the County's most important values. Unlawful discrimination or harassment of any sort violates these values. All employees must exhibit and promote respect, integrity, trust, and teamwork in the workplace and must comply with this policy prohibiting discrimination and harassment in all facets of the County's work.

### **Guidelines for Affected Individuals**

#### Workplace Violence

All Affected Individuals are required to support the County's commitment to a safe and professional work environment and to demonstrate appropriate behavior in the workplace.

Please see the complete Sullivan County Workplace Violence Prevention Policy, adopted 3/17/2016.

#### Discrimination

All Affected Individuals are prohibited from joking about another employee's race, sex, sexual orientation, age, religion, national origin, color, marital status, disability, blindness or other protected characteristics.

All Affected Individuals are prohibited from considering someone's race, color, religion, sex, national origin, age, disability, or other protected characteristic in making decisions about hiring, placement, assignment of duties, training, promotion, termination, compensation, benefits, and other work terms.

Please see the complete County of Sullivan Discrimination and Discriminatory Harassment Policy, adopted on 2/18/2016 and revised on 12/13/2018.

#### Sexual Harassment

Sexual harassment is prohibited. You are responsible for understanding the County's policy prohibiting discrimination and sexual harassment. You should consult with an appropriate supervisor or administrator if you have questions about your right to a workplace free from unlawful harassment or discrimination or if you have questions about your duty to avoid discrimination.

Please see the complete County of Sullivan Sexual Harassment Prevention Policy, adopted on 12/13/2018.

### Drug-free Workplace

No affected individual shall possess, use, manufacture, dispense, sell, or distribute alcoholic beverages or illegal drugs while on duty, while in a government vehicle, while on government property, or while wearing a government uniform (on or off duty); nor shall any employee be under the influence of such substances while in the named situations.

Affected individuals who are working under a federal contract or grant, the federal drug-free workplace law includes the following requirement:

- Any affected individual who is convicted under a criminal drug statute must notify the Office of Human Resources within five calendar days of the conviction. The County will take appropriate action within 30 days of notification. Appropriate action may include disciplinary action based on the severity of the offense, utilization of EAP or other counseling services, or other appropriate action.
- To the extent the affected individual is working under federal contract or grant, the County will notify the appropriate contracting agency within 10 calendar days of receiving notice of the conviction.

Affected individuals will abide by non-smoking policy. New York's Clean Indoor Air Act prohibits smoking and vaping in places of employment.

## **Seeking Guidance and Reporting Violations**

Affected Individuals must report any actual or suspected violations of this Code of Conduct, any applicable law or regulation, or any County policy and procedure to their immediate supervisor or the Corporate Compliance Officer. **A Compliance Hotline is also available for confidential or anonymous reporting of such issues. The Compliance Hotline number is 1-833-955-1559.**

When an actual or suspected violation of this Code of Conduct, any applicable law or regulation, or any County policy and procedure is reported to any Affected Individual, it must be promptly referred to the Corporate Compliance Officer. Steps will be taken to protect confidentiality and anonymity, when appropriate and warranted. The County will not tolerate any form of retaliation against a person who makes a good-faith report in accordance with this Code of Conduct.

All Affected Individuals and contractors must cooperate fully and honestly in any investigation into a reported violation of this Code of Conduct, any applicable law or regulation, or County policy, procedure, or practice.

All Affected Individuals employed at the Sullivan County Sheriff's Office may also report actual or suspected violations to the Sullivan County Sheriff or their designee.

## **Corrective Action and/or Discipline**

Any Affected Individual who violates or knowingly fails to report any violation of this Code of Conduct, any applicable law or regulation, or County policy, procedure, or practice is subject to appropriate disciplinary action, up to and including termination.

Disciplinary action may range from a warning to suspension or discharge, depending upon the nature of the incident and the relevant surrounding circumstances.

### **Your Responsibilities**

- ✓ Attend required training, and read and understand the County's Corporate Compliance Plan, Corporate Compliance Policies and Procedures, and Code of Conduct.
- ✓ Follow the County's Code of Conduct and abide by all policies and procedures, guidelines, and Federal and State laws and regulations.
- ✓ Be alert to any situation that could violate the County's Code of Conduct, policies and procedures, guidelines, and/or Federal and State laws and regulations.
- ✓ Promptly report any issues, concerns, violations, or suspected violations to your supervisor, other management staff, Commissioner of Human Resources, Corporate Compliance Officer, County Attorney or the County Manager.