

TOWN OF SALEM, CONNECTICUT

Ethics Policy

Ethics Policy

The Connecticut General Statutes (c.) (5), (10) and 310-241 grants the Salem Board of Selectmen the authority to develop and administer an ethics policy that is binding upon every officer, official, agent and employee of the Town of Salem as well as those who serve in the public trust of the Town of Salem.

Statement of Purpose. Public office is a public trust. The trust of the public is essential for government to function effectively. Public policy developed and administered by government officials and employees affects every citizen of the Town of Salem, and it must be based on honesty, integrity and fairness in deliberations and decisions. This process must be free from favoritism, threats, undue influence and all forms of impropriety, including the appearance of any of these, so that the confidence of the public is maintained at all times. By enacting this policy and program, the Town of Salem seeks to avoid any loss of trust and to maintain and increase the confidence of its citizens in the integrity and fairness of their government.

Application. This policy and program is applicable to and binding upon every officer, official, agent and employee of the Town of Salem and every member of any board, commission and those who serve in the public trust of the Town of Salem.

Expectations. It is expected that all Town officials, whether elected or appointed, and all Town employees, whether full or part-time in all departments, and any consultants or contractors providing service to the Town shall conduct themselves at all times with the highest degree of personal and professional integrity. Examples of these expectations include:

- No person(s) bound by this policy shall solicit or accept any gift, service or favor from any person who, to his or her knowledge, is interested in any pending matter within such official or employee's official responsibilities.
- No person(s) bound by this policy shall take any official action upon any matter in which he or she or any family member has an interest that is in conflict with the proper discharge of his or her duties or employment in the public interest, or of his or her responsibilities as prescribed by the laws of this state. Section 11.05 of the Charter for the Town of Salem more fully describes the Town's policy regarding conflicts of interest as it applies to any Town official or employee.
- Any person in public service who:
 - a) has a direct or indirect financial interest in any matter regarding which such person has or may have any official duties or
 - b) for whom any family member has an interest that is in conflict with his/her duties or employment in the public interest

Shall disclose that information to the Board of Selectmen, who shall record such information in their official minutes.

- No person(s) bound by this policy or board or commission member shall influence or attempt to influence the outcome of any matter before a town board or commission independent of that board or commission's established procedures or practices. Such undue influence includes but is not limited to: discussions with a petitioner or applicant to a town board or commission outside of board or commission meetings or allowed procedures, or with other groups or individuals attempting to influence the outcome of an issue.
- No person(s) bound by this policy shall disclose confidential information concerning Town affairs, nor shall he or she use such information to advance his or her own personal or financial interests or those of other persons.
- The Town of Salem is committed to maintaining an atmosphere free from personal animosity that impairs impartial judgment. Intimidation; retaliation, or discrimination in all its public and private dealings involving employees, officials (elected or appointed), contractors, consultants, residents and members of the public is strictly prohibited.

A procedure (see Salem Ethics Procedure) is in place for the reporting of any situation that does not meet the above expectations or is otherwise in conflict with the Salem Ethics Policy Statement of Purpose.

Compliance. The Ethics Policy and Program of the Town of Salem, as well as the personal and professional conduct of all Town officials, employees, contractors and consultants, shall comply at all times with applicable state law, the Charter and ordinances for the Town of Salem, and any other applicable regulations. Where there is a conflict between this Policy and any portion of any collective bargaining agreement with any union local representing Town of Salem employees, the language of that agreement shall prevail. If any portion of this Policy is determined to be inappropriate or unenforceable, the remainder of the Policy shall not be affected.

Policy Administration: Responsibilities of the First Selectman or Designated Alternate

The First Selectman or Designated Alternate of the Town of Salem is designated the officer in charge of administration and interpretation of the Salem Ethics Policy.

He/she will:

- Provide new Town officials, employees, and those who serve in the public trust of the Town of Salem a written copy of *The Salem Ethics Policy and The Salem Ethics Procedure, Acknowledgement of Policy and Disclosure of Conflicts of Interest,*
- Review *The Salem Ethics Policy and The Salem Ethics Procedure* with new Town officials, employees, and those who serve in the public trust of the Town of Salem.

- Secure the signature of Town Officials, employees, and those who serve in the public trust of the Town of Salem on the *Acknowledgement of Policy* and *Disclosure of Conflicts of Interest* upon initial assumption of their respective positions and annually thereafter In January.
- Maintain copies of all forms returned in the Office of the First Selectman and a record regarding information from all respondents for the current year (including a record of those who declined to sign).
- Receive, research, and act upon any concerns or complaints with respect to compliance with this policy in a timely manner.
- Implement the process outlined in the *Salem Ethics Procedure* to ensure a response to any ethics issues raised within ten (10) working days. The First Selectman or Designated Alternate may use his/her discretion in obtaining additional resources or assistance as needed.

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Ethics Procedure

1. Any person may file a written ethics concern.
 - a. In the event that the ethics concern relates to the conduct of the First Selectman, the Board of Selectmen will designate an alternate (“Designated Alternate”).
2. An ethics concern may be submitted in writing or communicated verbally (if appropriate) to any of the following persons:
 - a. The First Selectman or Designated Alternate
 - b. Any Board Chair, department head or supervisor who shall report the concern to the First Selectman or Designated Alternate.
 - c. Any member of the Board of Selectman or Designated Alternate if a complaint or concern involves the First Selectman personally.
3. All matters associated with an ethics concern shall be processed confidentially unless specified by this procedure.
4. Upon receipt of a complaint, the First Selectman or Designated Alternate shall evaluate the issue raised and determine if the issue raised is subject to the Salem Ethics policy.
 - a. If he/she determines that the issue raised in the complaint is *not* subject to this policy, the First Selectman or Designated Alternate shall notify the complainant and the Board of Selectman in writing. A record of this complaint will be maintained in the office of the First Selectman.
 - b. If he/she determines that the issue raised in the complaint *is* subject to this policy, the First Selectman or Designated Alternate shall:
 - i. Notify the respondent (subject of the complaint) of the nature of the issue and the right to submit evidence related to the issue.
 - ii. Notify the complainant and the Board of Selectmen in writing that an investigation has been initiated.
 - iii. Initiate an investigation relating to the issue raised by the complainant.
 1. Care must be exercised to maintain the confidentiality of the investigation.
 2. Investigative resources will be determined by the First Selectman, Designated Alternate or the Board of Selectman.
5. At the next regular meeting of the Board of Selectman, the First Selectman shall advise the Board in executive session of the nature of the alleged ethics concern and the status of any investigation.
6. If, as a result of the investigation, the First Selectman or Designated Alternate determines that there is not adequate evidence that an ethics violation has occurred:
 - a. All parties shall be so advised confidentially by certified mail of the reasons therefore, and

- b. The Board of Selectmen shall be so advised in executive session at their next regular meeting.
7. If the First Selectman or Designated Alternate determines that adequate evidence exists that an ethics violation has occurred, the Board of Selectmen shall be so advised in executive session, stating the relevant facts determined by the investigation. The parties concerned shall be permitted to be present in order to provide input.
8. The Board of Selectmen shall consider the facts presented and shall determine whether additional action should be taken, which may include submission to the State Ethics Board.
 - a. A majority of votes of the full Board of Selectman is necessary to uphold the decision of the First Selectman or Designated Alternate.
 - b. If the Board of Selectmen does not concur in the findings of the First Selectman, the Board shall direct the First Selectman to so notify the parties concerned, and the matter shall remain confidential.

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Disclosure of Conflicts of Interest

I understand that I have a continuing obligation to report promptly to my supervisor or the First Selectman all situations in which an actual or potential conflict of interest exists, or any situation that might have the appearance of being or creating a conflict of interest. I have described below any current or potential conflicts of interest as discussed in the Ethics Policy of the Town of Salem.

_____ I do not have any actual or potential Conflicts of Interest to disclose.

OR

_____ I have, or may have, an actual or potential Conflict of Interest which is described below:

Nature of the conflict(s): _____

List any actions that have been taken to mitigate or resolve the conflict: _____

Signature _____

Print Name _____

Position _____

Date _____

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Acknowledgement of Policy

I hereby acknowledge that I have received a copy and understand the importance of the Ethics Policy of the Town of Salem, Connecticut. I agree to abide by the Policy. I understand that I have a responsibility to ask for policy clarification, as and if needed, and that violations of the Town of Salem's Ethics Policy may lead to disciplinary action up to and including termination, as permitted by law.

Signature_____

Print Name_____

Position_____

Date_____