

Conflict of Interest Policy for CAPCO Staff

- 1. Application of this policy.** This policy covers all Cortland County Community Action Program, Inc. (CAPCO) officers who are not members of the CAPCO Board of Directors and other senior management, other employees and agents, all as designated by the CAPCO Executive Director, including but not limited to those employees and agents involved in procurement decisions (collectively referred to as “Senior Staff”).

Disclosures are required for the period beginning on September 1 of the year preceding the year the Staff member signs this policy. This policy is in addition to policies in the CAPCO Personnel Policies Manual.

- 2. Required Disclosures.** CAPCO is required to disclose to the state and federal governments certain information concerning relationships and transactions between and among Staff, with CAPCO Board members, with family members of Staff (including Immediate Family members as defined herein, as well as grandparents, great grandparents, and grandchildren and great grandchildren), and with entities with which the Staff is associated (“Related Party Transactions”).

Staff should list these disclosures at the end of this Policy. Information to be disclosed includes the following:

- (A) Does the Staff member have a family or business relationship with a CAPCO Board member or other Senior Staff member?

A “business relationship” does not include a relationship between (1) attorney and client, (2) medical professional (including psychologist) and patient, or (3) priest/clergy and penitent/communicant.

- (B) Are any Staff members, either personally, through family members, or through entities with which they are associated, involved in, or do they intend to become involved in, any transaction or relationship with CAPCO, its subsidiaries or delegate agencies (other than as CAPCO Staff)?
- (C) CAPCO Officers only - Has CAPCO made a grant award or contribution to any organization with which the CAPCO officer has a relationship?

- (D) “*Immediate Family*” includes:

- *Spouse*
- *Parent*
- *Child (including adopted)*
- *Sibling*
- *Father-in-law, Mother-in-law*
- *Brother-in-law, Sister-in-law*
- *Son-in-law, Daughter-in-law*

- 3. Prohibited participation in contracts.** No CAPCO employees, including Senior Staff, shall participate in the selection, award, or administration of a contract if a real or apparent conflict of interest would be involved. Such a conflict would arise when:

- a. the employee;
- b. any member of the employee's Immediate Family (as defined above);
- c. his or her partner; or
- d. an organization which employs or is about to employ any of the above parties,
- e. has a direct or indirect financial or other interest in the firm, organization or individual selected for an award.

4. Prohibited provision of professional services. Employees of CAPCO, including Senior Staff, may not be paid, outside of their approved salary and benefits, for any professional or consulting services provided to CAPCO.

5. Gifts to Staff. Employees of CAPCO, including Senior Staff, are prohibited from soliciting or accepting gifts, money, or gratuities, other than those of nominal value, from:

- Persons receiving benefits or services under any CAPCO program;
- Any person or organization performing services for or providing goods to CAPCO; or
- Persons or organizations that are otherwise in a position to benefit from the actions of CAPCO Senior Staff.

"Nominal value" is \$50 or less per instance and \$150 or less per calendar year.

6. Continued disclosure obligation. If, after signing this policy, a Staff member becomes involved in, or intends to become involved in, or becomes aware of an existing, Related-Party Transaction, any activity or transaction prohibited by this Policy, or any other actual or apparent conflict of interest, the Staff member shall promptly notify the CAPCO President/CEO.

7. Procedure for addressing Related Party Transactions and conflicts of interest.

(a) Except as set forth in (c) below, the CAPCO President/CEO and/or his designee(s) shall address all Related Party Transactions and actual and potential conflicts of interest involving a Staff member by first determining if the Related Party Transaction or conflict of interest is prohibited under paragraphs 3, 4 and/or 5 of this policy or by any other applicable laws, regulations, and requirements. If it is prohibited, then the CAPCO President/CEO shall determine the appropriate course of action, consistent with legal requirements and CAPCO's Personnel Policies, to eliminate the prohibited conflict or conduct.

(b) If the Related Party Transaction or conflict of interest is not prohibited, then the CAPCO Executive Director and/or his/her designee(s) shall determine whether, all factors considered, the transaction under consideration is fair and reasonable to, and is in the best interests of, CAPCO. The CAPCO Executive Director and/or his/her designee(s) shall review, where appropriate, information concerning alternatives to the transaction; comparable transactions entered into by other parties and organizations; independent appraisals; and/or any other relevant factors. For this purpose, a "transaction" may include an ongoing business, contractual, or grant relationship.

(c) The CAPCO Executive Director shall disclose his involvement in a Related Party Transactions, prohibited conduct under this policy, and/or actual or potential conflicts of interest to the Chairperson of the CAPCO Board of Directors. The Chairperson shall follow the same procedures that the CAPCO Executive Director or his/her designee(s) follow when a Staff member discloses his or her involvement in a Related Party Transaction and/or actual or potential conflict of interest.

By signing here, I acknowledge that I have read and agree to abide by this policy and (check one):

_____ am not, to the best of my knowledge, a participant in any Related Party Transaction, actual or potential conflict of interest, contract described in paragraph 3, provision of professional services, gift, or any other transaction required to be disclosed by this policy, including but not limited to the disclosures required by paragraphs 2, 3, 4 and 5, above.;
or

_____ have disclosed below, to the best of my knowledge, any Related Party Transactions, actual or potential conflict of interest, contract described in paragraph 3, provision of professional services, gift, or any other transaction required to be disclosed by this policy, including but not limited to the disclosures required by paragraphs 2, 3, 4 and 5, above.

Disclosures are required for the period beginning on September 1 of the year preceding the year the Staff member signs this policy.

Disclosure: _____

Printed Name

Signature

Date