

**TOWN OF SEYMOUR  
CODE OF BUSINESS CONDUCT  
FOR ALL TOWN OFFICERS, EMPLOYEES AND OFFICIALS**

**TABLE OF CONTENTS**

***INTRODUCTION***

1. About the Compliance Program
2. Reporting Procedures
3. About the Code

***COMPLIANCE WITH LAWS AND TOWN POLICIES***

A. ACCEPTANCE OF GIFTS, FAVORS, ENTERTAINMENT AND PAYMENTS

B. UNFAIR COMPETITION

C. PROTECTING AND RESPECTING INTELLECTUAL PROPERTY

D. TOWN PROPERTY

E. CONFLICTS OF INTEREST

F. OFFICER, EMPLOYEE AND OFFICIAL RELATIONS

1. Substance Abuse
2. Occupational Safety and Health
3. Acceptable Workplace Behavior
4. Equal Employment Opportunity
5. Sexual Harassment

G. USE OF ELECTRONIC MEDIA AND TECHNOLOGY

1. Electronic and Voice Mail
2. Internet

## INTRODUCTION

### **1. About the Compliance Program**

To ensure compliance with The Town of Seymour's Code of Business Conduct and all legal requirements relevant to the Town's business, the Board of Ethics has created a compliance program. This compliance program is overseen by the Board of Ethics.

### **2. Reporting Procedures**

Actual or suspected violations of the Code are to be reported through the internal chain of supervision first should that avenue be available. If an individual believes that he or she is unable or unwilling to do so, they may contact a member of the Board of Ethics. To the extent feasible, a Town employee's communication will be treated confidentially, and no employee will be discharged, demoted, suspended, threatened, harassed or in any manner discriminated against for reporting in good faith an actual or suspected violation of this Code. The members of the Board of Ethics, along with their phone numbers, can be obtained at the Town Clerks office.

All reports to the Board of Ethics must be in writing. Violations of federal, state or local law violate this Code of Business Conduct and can expose an employee and the Town to criminal or civil prosecution. If, therefore, an employee has any questions whatsoever with respect to the interpretation of this Code, he or she should promptly consult supervision or a member of the Board of Ethics. If you have a concern that a particular practice or activity does not comply with the law, then you must report your concern either to supervision or a member of the Board of Ethics.

No individual will suffer any adverse action for the act of questioning a Town practice or reporting a suspected violation of the law or other irregularity in good faith. Individuals are encouraged -- and indeed required -- to report suspected violations. However, reporting the violation will not automatically "immunize" an individual making a report from recourse if the investigation later reveals that the individual violated the law. A reported violation must contain enough facts (who, what, when, where, how) so that the violation reported can adequately be investigated. The information will be kept confidential to the extent feasible.

### **3. About the Code**

This Code of Business Conduct does not replace any current policies or procedures of the Town. Rather, the purpose of this Code is to communicate to all Town Officers, Employees and Officials what the Town expects with respect to complying with laws, regulations and Town policies and treating those with whom you deal with consideration, understanding, integrity and respect.

This Code addresses a number of subjects that are particularly important to the Town. Town Officers, Employees and Officials must be familiar with, and comply with, this Code of Business Conduct. All business activities should be carried out in accordance with this Code, whether or not they are specifically addressed in the Code. The Town's written policies and procedures provide further guidance in particular areas. Town Officers, Employees and Officials are expected to be aware of, and alert

to, their legal and ethical responsibilities, and to make an evaluation of legal and ethical concerns involved before taking action in a particular situation. These concerns may be addressed by considering the following:

- Is the action illegal?
- Would you be embarrassed if the details were known to your superiors, your peers, your subordinates, your family, your friends or the general public?
- Does it make you feel uncomfortable?
- Does the action conflict with common sense or your own sense of ethics?
- Is anyone going to be endangered by your action?

All Town Officers, Employees and Officials must, at all times, conduct their relationships with other Town Officers, Employees and Officials, customers, suppliers, consultants and the community in an ethical manner. They must not:

- Use their position with the Corporation or knowledge of Corporation operations to gain any favor, advantage or benefit for themselves personally.
- Use their position with the Corporation to gain any unfair advantage or benefit for the Corporation through deception, misrepresentation or fraud.
- Influence or attempt to influence others in the exercise of their duties by offering gifts or other promises of reward or benefit, or solicit or accept any such gifts or benefits from others.

Any off-the-job conduct is prohibited if it will adversely affect:

- The Town's reputation, interests or operations, or
- The Officer's, Employee's or Official's ability to perform his/her job or function.

## **COMPLIANCE WITH LAWS AND TOWN POLICIES**

Set forth below are the standards for proper business conduct, that is, the yardsticks against which every Town Officer's, Employee's and Official's actions will be measured. There may be other Town policies and procedures that apply separately to a particular job function.

### **A. ACCEPTANCE OF GIFTS, FAVORS, ENTERTAINMENT AND PAYMENTS**

Accepting, offering or soliciting bribes or kickbacks is a crime in some circumstances. Town Officers, Employees and Officials and members of their immediate families must never offer, accept, give or pay for gifts, entertainment, travel or any other item of value to or from any person or organization with which the Town does business or is likely to do business, where such favors may influence, or appear to influence, business decisions. If an employee, officer or official receives a valuable gift, he or she should return the gift with a polite explanation of the Town's policy. Elaborate entertainment, such as overnight or weekend trips, must always be avoided. The occasional exchange of modest gifts and entertainment may be appropriate. Unsolicited promotional materials (having a value of less than \$50) such as pens, calendars, mugs, meals and entertainment or attendance at sporting or other events of modest value are not considered "valuable gifts" or "unusual hospitality" if they are received in the normal course of business, involve situations where Town business may be conducted and the recipient has no reason to believe that the gift, service, benefit or hospitality was made or extended with the intent to influence the employee, officer or official improperly in the performance of his or her duties. Employees, officers and officials may reciprocate by offering nominal gifts having a value of less than \$25 or occasional modest entertainment when appropriate for business objectives. Employees, Officers and Officials must never use Town

resources to make offers of gifts, entertainment or other favors or benefits to any government employee or public official when it violates any local, state or federal law or regulation. These issues should be resolved by declining to give or receive gifts or by checking with a member of the Board of Ethics.

Before accepting or offering a gift from or invitation to someone that does or may do business with the Town, Employees, Officers and Officials should ask themselves these questions:

- Is it modest and of nominal value?
- Would I feel uncomfortable if this were made known or made public on the front page of the newspaper?
- Will acceptance of this gift or entertainment make me feel obligated toward the giver or his or her firm, or could it cloud my objectivity in making decisions for the Corporation?

An employee, officer or official who is in doubt as to the answer to either of these questions should consult supervision or the Board of Ethics before acting.

## B. UNFAIR COMPETITION

• **Commercial Bribery.** Commercial bribery involves a situation where private action is purchased illegally. Here, common sense must prevail. A small favor of little or no value, openly provided, in a normal business context (e.g., taking a potential customer to lunch) does not present problems. But giving something of more substantial value, provided in a furtive way or on the sly and outside the business context (e.g., paying for a vacation trip, goods or services) is not permitted.

• **Fraud.** Employees, Officers and Officials are expected to deal honestly and fairly with clients and others. Fraud or misrepresentation will not be tolerated. Such behavior is unethical, harms the Town's reputation and may result in prosecution and/or civil liability for both the employee, officer or official involved and the Town.

## C. PROTECTING AND RESPECTING INTELLECTUAL PROPERTY

All Town employees, Officers and Officials must avoid infringing upon the intellectual property rights of others. A wide variety of federal and state laws exists to protect intellectual property, which includes copyrights, trademarks, service marks and trade secrets. Infringement may result in criminal and civil liabilities for the Town. It is, therefore, necessary to identify and establish the proper conduct that the Town expects when dealing with the intellectual property of others. Federal copyright laws prohibit the unauthorized use, reproduction or distribution of copyrighted material, including copyrighted material downloaded from the Internet, even for use within the Town. Copyrighted computer software must be used strictly in accordance with the applicable software license. Copyright laws include criminal provisions. All Town Officers, Employees and Officials must respect and obey these laws.

## D. TOWN PROPERTY

All Town Officers, Employees and Officials are responsible for the proper use and care of Town property. "Town property" is defined as land, buildings and other structures, equipment, tools, materials, services, software and funds, as well as intangible items such as confidential or proprietary information, Town reputation, prestige, influence and the Town seal. Town Officers, Employees or Officials must not use Town property for personal benefit, nor may they sell, loan or dispose of Town property, regardless of its condition or value, without proper authorization. The Town's policy on the use of Town facilities, equipment or time is set forth in the Code of Ethics. Town Officers, Employees and Officials authorized to spend Town funds must do so honestly, prudently, reasonably and only when necessary to the business of the Town and in accordance with all laws, regulations and Town policies. No Town Officer, Employee or

Official may use Town funds or assets, or funds or assets of other companies or individuals with whom the Town does business, for improper purposes.

#### E. CONFLICTS OF INTEREST

Town Officers, Employees and Officials owe the Town a high degree of loyalty, have a duty to avoid actual or potential conflicts of interest, and must place the Town's interest in any business transaction ahead of any personal interest or personal gain. All Town Officers, Employees and Officials must disclose to the Board of Ethics all of the facts in any situation where a conflict of interest may arise as set forth in section 1-3 of the Code of Ethics.

#### F. OFFICER, EMPLOYEE AND OFFICIAL RELATIONS

##### 1. Substance Abuse

All Town Officers, Employees and Officials must maintain a work environment that is free from alcohol and drug abuse and its effects.

##### 2. Occupational Safety and Health

The Town is committed to providing a safe workplace for all Town Officers, Employees and Officials. For that reason, and to protect their own safety and the safety of other Town Officers, Employees and Officials, all Town Officers, Employees and Officials are required to perform his or her duties in accordance with health and safety laws and Town policies in order to ensure that a safe work environment is maintained.

##### 3. Acceptable Workplace Behavior

In addition to establishing a safe workplace, the Town is also committed to establishing a pleasant and courteous work environment. Through the efforts of all Town Officers, Employees and Officials, the Town's goal is to maintain an environment free from intimidation, threats and acts of violence.

Any person who engages in such activity either will be removed from the premises as quickly as safety permits, or will be required to remain off Town property pending the outcome of an investigation.

Once a violation has been substantiated, the violator will be put on notice that he/she will be held accountable for their actions and that the Town will follow through with the implementation of a timely, decisive and appropriate response. This may include discipline up to and including termination, suspension or termination of any business relationship, reassignment of job duties, civil action and/or criminal prosecution or other such action as deemed appropriate.

##### 4. Equal Employment Opportunity

In accordance with applicable state and federal law, the Town makes employment-related decisions without regard to a person's race, color, religious creed, age, sex, sexual orientation, marital status, national origin, ancestry, present or past history of mental disorder, mental retardation, learning disability or physical disability, including, but not limited to, blindness and genetic predisposition, or any other factor unrelated to a person's ability to perform the person's job. "Employment decisions" generally means all decisions relating to hiring, recruiting, training, promoting, compensation, discipline and termination, but the term may encompass other employment actions as well. Town Officers, Employees and Officials who engage in or otherwise participate in any form of discrimination or harassment will be subject to discipline up to and

including termination or removal from appointed office. The Town is committed to establishing and maintaining a workplace that is free from discrimination and harassment.

Prohibited harassing conduct includes any behavior (e.g., verbal, physical or visual) relating to the protected categories above that has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment. Harassment using e-mail, voice mail, the Internet or any other electronic communication is also prohibited.

Examples of harassment would include: epithets, slurs, negative stereotyping, demeaning or hostile jokes or pranks, written or graphic material that denigrates or shows hostility or aversion toward an individual or group protected under applicable federal, state or local laws.

#### 5. Sexual Harassment

The Town is committed to maintaining an environment free of sexual harassment. In keeping with this commitment, the Town will not tolerate sexual harassment of Town Officers, Employees and Officials by anyone, including any Town Officer, Employee, Official, vendor, client, or customer, whether in the workplace, at assignments outside the workplace or at Town-sponsored social functions. Any Officer, Employee or Official found to have sexually harassed another Officer, Employee or Official will be subject to disciplinary action up to and including termination or removal from appointed office. Sexual harassment is defined as unwelcome or unwanted sexual advances, requests for sexual favors or other physical, verbal, or visual conduct of a sexual nature when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. It is prohibited for males to sexually harass females or other males, and for females to sexually harass males or other females.

### G. USE OF TELEPHONE, ELECTRONIC MEDIA AND TECHNOLOGY

#### 1. Telephone, Electronic and Voice Mail

Any electronic communication media owned by the Town may be utilized by all authorized individuals. As such, all communication and information transmitted by, received from or stored in these systems are the property of the Town. Town Officers, Employees and Officials should have no expectation of privacy concerning the use of e-mail and voice mail communications and should be guided by the following principles in the use of electronic media:

Use of the Town's electronic communication media is considered to be a non-private business-related use of Town resources. Authorized representatives may monitor the use of such equipment and resources at any time. Monitoring may include accessing recorded messages and printing or reading data files or e-mail.

All communications through any of the Town's communication media must be conducted in a professional tone and manner. No Officer, Employee or Official may transmit offensive, discriminatory, unprofessional, or illegal messages.

E-mail through the Internet should not be considered secure.

No Officer, Employee or Official may represent himself or herself as someone else during e-mail, voice or voice mail communication.

Employees should be aware that use of Town or personal cellular phones might not be a secure means of communication. The distribution of chain letters via Town e-mail is prohibited.

## 2. Internet

The Town provides access to the vast information resources of the Internet to help its employees do their jobs faster and smarter, and be well-informed business citizens. Use of the public Internet by Town employees is encouraged when such use is suitable for business and professional purposes. Town employees are required to conduct themselves honestly and appropriately on the Internet, and respect the copyrights, software licensing rules, property rights, privacy and prerogatives of others, just as you would in any other business dealings. The Internet is to be used in a manner consistent with this Code and Town policies and procedures, especially (but not exclusively) those that deal with intellectual property protection, privacy, misuse of Town resources, sexual harassment, information and data security, and confidentiality.

The display of any kind of sexually explicit image or document on any Town system is considered sexual harassment. In addition, sexually explicit material may not be archived, stored, distributed, edited or recorded using Town resources. Town Officers, Employees and Officials may not access, transmit or create offensive or disruptive messages, e.g., chain letters, via the e-mail system and the Internet. Among those which are considered offensive are messages that contain sexual implications, racial slurs, specific comments or any other content that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, disability, or in any way violate the Town's position on equal opportunity and sexual harassment.

The Town's Internet facilities and computing resources must not be used knowingly to violate the laws of the United States or any other nation, or the laws of any state, city, province or other local jurisdiction. Any software or files downloaded via the Internet into Town equipment become the property of the Town. Any such files or software may be used only in ways that are consistent with their licenses or copyrights. No Officer, Employee or Official may use Town facilities knowingly to download or distribute pirated software or data. No Officer, Employee or Official may use the Town's Internet facilities to deliberately propagate any type of virus.