



November 2, 2020

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Orange County Transportation Authority Code of Conduct

Overview

As required by the Federal Transit Administration and organizational best practices, the Orange County Transportation Authority maintains a written code of conduct to provide direction to officers, employees, agents, and members of the Board of Directors on appropriate and professional behavior in the conduct of Orange County Transportation Authority business.

Recommendation

Receive and file as an information item.

Background

The Federal Transit Administration (FTA) requires that all funding recipients maintain a written code of conduct, or standards of conduct, that will govern the actions of its officers, employees, board members, or agents engaged in the award or administration of sub-agreements, leases, third-party contracts, or other arrangements supported with federal assistance. The Orange County Transportation Authority (OCTA) last updated and adopted the Code of Conduct Policy on November 16, 2018.

Discussion

The OCTA Code of Conduct Policy (Attachment A) requires that employees, agents, and members of the Board of Directors exercise the highest level of ethical behavior in the conduct of OCTA business. It includes expectations that these parties comply with the law, as well as with the letter and spirit of the Code of Conduct.

Consistent with FTA requirements and codes of conduct adopted by other public agencies, the OCTA Code of Conduct prohibits both real and apparent personal

conflicts of interest and includes procedures for identifying and preventing such conflicts. As a means of promoting a strong ethical culture at OCTA, the Code of Conduct also includes reiterations of existing OCTA policies or federal and state laws prohibiting discrimination, retaliation, sexual harassment, and other inappropriate behavior.

The section of the Code of Conduct related to gifts is a required element of a written code of conduct as provided in OCTA's Master Agreement with the FTA. The rules prohibit OCTA employees, agents, and members of the Board of Directors from accepting any gifts, gratuities, favors, or anything of monetary value from contractors, subcontractors, bidders, or proposers on federally funded OCTA contracts. On non-federally funded contracts, gifts totaling less than \$500 from other sources would be permitted as long as designated employees, as defined in OCTA's Conflict of Interest Policy, report the gifts on their annual Statements of Economic Interests (Form 700) in accordance with state law. This gift limit is updated biennially, and the Code of Conduct presented herewith has been updated to reflect changes made and effective as of 2020.

Changes to 2020 Code of Conduct Policy are summarized below:

1. Section V-B was revised to mirror changes to state law as it relates to protected classes, and verbiage was added to indicate that any form of workplace harassment will not be tolerated;
2. Section V-F was revised to mirror changes to Title 2 of California Code of Regulations Section 18940.2 as it relates to gifts;
3. Section V-I was added to address employee obligations to cooperate with control activities;
4. Section V-J was revised to correct a department title;
5. Section V-L added a link to the Ethics Hotline website; and
6. Section VIII added the Workplace Harassment & Discrimination Prevention Policy as a related document.

The Code of Conduct is provided to employees on their date of hire and biennially thereafter, with acknowledgement of receipt required.

Summary

The OCTA Code of Conduct was developed to provide direction to OCTA employees, agents, and the Board of Directors on matters related to behavior while conducting OCTA business.

Attachment


A. Orange County Transportation Authority Code of Conduct Policy - Redlined

Prepared by:



Karen DeCrescenzo
Human Resources Manager
714-560-5547

Approved by:



Maggie McJilton
Executive Director, Human Resources
and Organizational Development
714-560-5824