

# **TRANSIT AUTHORITY OF RIVER CITY ETHICS POLICY**

It is the policy of TARC that its Officers uphold the highest standards of ethical and professional behavior.

## **SECTION 1. DEFINITIONS.**

The following terms shall have the given definition.

**APPOINTING AUTHORITY.** The Metro Mayor, or any other person, who appoints the members of the TARC Board.

**TARC BOARD.** The governing body of the Transit Authority of River City (TARC)

**BUSINESS ORGANIZATION.** Any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any other legal entity through which business is conducted for profit.

**ETHICS COMMISSION.** The Louisville Metro Ethics Commission created in LMCO 21.05

**FAMILY MEMBER.** Any person who is the aunt, uncle, niece, nephew or "step" relation (by current marriage), spouse, parent, sibling, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild of a TARC Officer

**TARC OFFICER.** Any person or persons appointed by the Mayor or Metro Council to the Transit Authority of River City Board including the Executive Director.

**INTEREST.** The ownership or control of more than 5% of the profits, assets, or stock of a business, or holding a position as a principal of any nonprofit entity including, but not limited to, a labor organization.

## **SECTION 2. CODE OF CONDUCT**

No TARC Officer or member of the TARC Board:

- (A). Shall use or attempt to use his/her official position to secure unwarranted privileges or advantages for him/herself, members of his/her family or other persons.
- (B). Shall accept, condone or participate in any form of bribery.
- (C). Shall solicit or accept gratuities, favors, loans, services, or anything of monetary value, except unsolicited items of nominal intrinsic value (less than \$25.00), from contractors, potential contractors, or interested parties. Any agent, TARC officer, or employee who receives an unsolicited item, other than a meal, valued at \$25.00 or more, shall immediately report in writing the receipt

of such item to the Executive Director. The Executive Director and all TARC Board members shall report in writing the receipt by them of any such item to the full TARC Board.

- (D). Shall make available and/or transmit to any person or entity seeking to gain a contract with TARC, any materials, records, results, or information that is not made generally available, except as authorized by the Executive Director or TARC Board.
- (E). Shall represent, either as an agent or otherwise, any person or entity in any negotiation and/or transaction with TARC.
- (F). Shall participate in the selection, administration, or award of any contract and/or purchase, or advocate any transaction or matter if a conflict of interest, real or apparent, would be involved.
- (G). No TARC Officer, however, shall be prohibited from giving or receiving;
  - (1) An award publicly presented in recognition of public service;
  - (2) Commercially reasonable loans made in the ordinary course of the lender's business; or
  - (3) Reasonable hosting, including entertainment, meals or refreshments furnished in connection with public events, appearances, or ceremonies.

### **SECTION 3. FINANCIAL DISCLOSURE**

- (A). TARC Officers shall be required to file with the Metro Ethics Commission a financial disclosure statement on a form provided by the Ethics Commission and signed under oath by the filer. The financial disclosure statement shall include all of the following information:
  - (1) Name of filer;
  - (2) Current title, business address, business telephone number and home address of filer;
  - (3) Occupations of filer and spouse;
  - (4) The name, address, and telephone number of each business organization doing business with the organization, in which the filer or any member of the filer's family has:
    - (a) An interest of \$10,000 at fair market value or 5% ownership interest or more; or
    - (b) Received compensation in excess of \$5,000 during the preceding calendar year. If the interest is the ownership of publicly traded securities, or publicly traded securities are the source of income, the interest need not be reported unless the TARC officer or family member owns 5% or more of the total value of such publicly traded securities.
    - (c) The location and zoning designation of all real property within Jefferson County, other than the filer's primary residence, in which the filer or any members of the filer's family had an interest of

\$10,000 or more during the preceding calendar year and which is the subject of any condemnation proceeding, any regulatory or enforcement proceeding before the Metro Planning Commission, or any proceeding before any other administrative body or court of law wherein the Transit Authority of River City or any TARC Officer is an interested party.

- (B). The financial disclosure statement shall be filed annually by TARC Officers no later than April of each year.
- (C). When any TARC Officer, or any member of his/her family, shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within his/her office, the TARC Officer shall disclose such private interest to the TARC Board.

#### **SECTION 4. NEPOTISM**

- (A). A member of the family of a TARC Officer shall not be given preference for employment or appointment to a position in the organization because of such family relationship.
- (B). No TARC Officer shall act in his/her official capacity to hire, or caused to be hired any member of his/her family at an hourly pay rate or with benefits in excess of any other employee with similar job duties, responsibilities and qualification requirements.
- (C). No TARC Officer shall exercise direct management or supervisory authority over any member of his/her family.

#### **SECTION 5. DUTY TO DISCLOSE**

- (A). A TARC Officer must disclose the existence of any financial interest to the TARC Board, and be given the opportunity to disclose all material facts to the TARC Board. All disclosures of real or apparent conflicts of interest shall be noted for the record in the minutes of a meeting of the TARC Board.
- (B). After the TARC Officer discloses the financial interest and all material facts, the Officer shall leave the meeting while the determination of a conflict of interest is voted upon. The remaining TARC Board members shall decide if a conflict of interest exists after consultation with legal counsel.
- (C). If the TARC Board has reasonable cause to believe a TARC Officer has failed to disclose actual or possible conflicts of interest, the TARC Board shall inform the TARC Officer of such and afford the TARC Officer an opportunity to explain the alleged failure to disclose. If, after hearing the response the TARC Board determines the TARC Officer has failed to disclose an actual or possible conflict of interest, it shall take appropriate corrective action.

## **SECTION 6. PROTECTION AGAINST REPRISAL.**

- (A). No TARC Officer shall be subject to reprisal who in good faith reports any facts or information relative to an actual or suspected violation of any law, statute, executive order, administrative regulation, mandate, rule, or ordinance of the United States, the Commonwealth of Kentucky, or the Louisville/Jefferson County Metro Government, or any facts or information relative to actual or suspected mismanagement, waste, fraud, abuse of authority, or a substantial and specific danger to public health or safety.

## **SECTION 7. TRANSACTIONS WITH SUBORDINATES**

- (A). No TARC Officer shall compel a subordinate or any person or business or nonprofit organization over which he or she exercises supervisory responsibility, to engage in a financial transaction...
- (B). No TARC Officer shall compel any subordinate to participate in an election campaign or ballot referendum, or make a political contribution.

## **SECTION 8. INAPPROPRIATE POLITICAL SOLICITATION**

No TARC Officer shall engage in any political activity:

- (A). With the use of government funds, equipment supplies, vehicles, or facilities;
- (B). Using employees while still on duty to work at meetings where the known purpose or agenda of the meeting is to endorse or advocate for a political candidacy.
- (C). Sending e-mails using organization resources which advocate the candidacy of a person for political office;
- (D). Creating and/or transferring a list, including, but not limited to, a paper or electronic-based list, using organization resources for the purpose of engaging in political activity; and
- (E). Using organization resources to establish and/or transfer a website domain name in an official capacity for the purpose of engaging in a political activity.