CHA BOARD APPROVED ETHICS POLICY

Approved by CHA Board of Commissioners
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CHA ETHICS POLICY

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CHA ETHICS POLICY

ARTICLE I. GENERAL

Section 1. Code of Conduct

(a) The code of conduct set forth in this section shall guide the conduct of every Officer and Employee of the CHA. All Officers and Employees shall:

(1) Remember that they are public servants who must place loyalty to the CHA and the federal and Illinois constitutions, laws, and ethical principles above their private gain or interest.

(2) Give a full day's work for a full day's pay.

(3) Put forth honest effort in the performance of their duties.

(4) Treat members of the public with respect and be responsive and forthcoming in meeting their requests for information.

(5) Act impartially in the performance of their duties, so that no private organization or individual is given preferential treatment.

(6) Refrain from making any unauthorized promises purporting to bind the CHA.

(7) Never use any nonpublic information obtained through the performance of CHA work other than in the performance of official duties and responsibilities for the CHA.

(8) Engage in no business or financial transaction with any individual, organization or business that is inconsistent with the performance of their CHA duties.

(9) Protect and conserve CHA property and resources, and use CHA property and resources only for authorized purposes or activities.

(10) Disclose waste, fraud, abuse, and corruption to the appropriate authorities.

(11) Adhere to all applicable laws and regulations that provide equal opportunity for all persons regardless of race, color, religion, gender, national origin, age, sexual orientation, or disability.

(b) At the time of employment or becoming a CHA Officer or Employee, every CHA Officer or Employee shall sign, in a form prescribed by the Ethics Officer, a commitment to follow the CHA's code of conduct set forth in this section. The Department of Human Resources shall administer such commitment and provide a copy of the commitment to each Employee at the time of hiring. The CHA's Chief Legal Officer shall administer such commitment and

provide a copy of the commitment to each CHA Officer at the time of his or her appointment.

(c) This section is not intended to, and does not create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the CHA, its departments, agencies, or entities, its Officers, Employees, or agents, or any other person.

Section 2. Fiduciary Duty

Officers and Employees of the CHA shall at all times in the performance of their duties owe a fiduciary duty to the CHA.

Section 3. Applicability

This Policy applies to all CHA Officers and Employees, and by contract to certain CHA Contractors and Subcontractors. All Officers, Employees and Contractors shall sign a statement acknowledging that they (1) have received a copy of this Policy, (2) have read its contents, (3) agree to adhere to its provisions, and (4) may be subject to sanctions, up to and including immediate dismissal or removal, if they violate any provision of this Policy.

ARTICLE II. DEFINITIONS

Section 1. Definitions

Whenever used in this Ethics Policy the following terms shall have the following meanings:

(a) "Administrative action" means any decision on, or any proposal, consideration, enactment or making of any rule, regulation, or any other official non-ministerial action or non-action by any department, or by any Officer or Employee of any department, or any matter which is within the official jurisdiction of the Chief Executive Officer.

(b) "Board of Commissioners" means the governing body of the CHA which establishes, approves, and/or enacts policies for the CHA.

(c) "Business relationship" means any business relationship that creates a Financial interest on the part of the Officer or Employee, or the spouse or Domestic partner of the Officer or Employee.

(d) "CHA" means the Chicago Housing Authority.

(e) "Compensated time" means any time worked by or credited to an Employee that counts toward any minimum work time requirement imposed as a condition of employment with the CHA, but does not include any designated CHA holidays or any period when the Officer or Employee is on an approved vacation or leave of absence.

(f) "Compensation" means money, thing of value or other pecuniary benefit received or to be received in return for, or as reimbursement for, services rendered or to be rendered.

(g) "Contract management authority" means personal involvement by CHA Officers and Employees in, or direct supervisory responsibility for, the formulation or execution of a CHA contract, including without limitation, the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms, or supervision of performance.

(h) "Contractor" means any entity or Person (including his agents or employees acting within the scope of their employment) Doing business with the CHA.

(i) "Covered relative" means the spouse or domestic partner of any Officer or Employee, or the Immediate family, and Relatives residing in the same residence with the Officer or Employee.

(j) "Doing business" means any one or any combination of sales, purchases, leases or contracts to, from or with the CHA in an amount in excess of $10,000.00 in any 12 consecutive months.

(k) "Domestic partner" means a domestic partner satisfying the eligibility requirements of the CHA Domestic Partners Benefit Policy.

(l) "Employee" means an individual employed by the CHA, whether part-time or full-time, but excludes paid and unpaid members of the Board of Commissioners.

(m) "Ethics Officer" means the person responsible for monitoring and enforcing the CHA Ethics Policy.

(n) "Expenditure" means a payment, distribution, loan, advance, deposit, or gift of money or anything of value.

(o) "Financial interest" means an interest held by an Officer or Employee that is valued or capable of valuation in monetary terms with a current value of more than $1,000.00, provided that such interest shall not include:

(1) the authorized compensation paid to an Officer or Employee for any office or employment;

(2) a time or demand deposit in a financial institution;

(3) an endowment or insurance policy or annuity contract purchased from an insurance company;

(4) any ownership through purchase at fair market value or inheritance of the shares of a mutual fund corporation, regardless of the value of or dividends on such shares, if

such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended;

(5) any ownership through purchase at fair market value or inheritance of not more than $15,000.00 worth of the shares of a corporation or any corporate subsidiary, parent or affiliate thereof regardless of the dividends on such shares if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended; or

(6) any ownership by a current Officer or Employee through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value or dividends on such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, and if such ownership existed before the effective date of this Policy.

(p) "Gift" means any thing of value given without fair-market-value consideration.

(q) "Immediate family" means spouse or Domestic partner, child, mother, father, grandmother, grandfather, grandchildren, brother, and sister.

(r) "Instrument of ownership" means deeds, common or preferred stock certificates, rights, warrants, options, bills of sale, interests in proprietorships, partnerships, joint ventures, and beneficial interests in trusts and land trusts.

(s) "Officer" means any paid or unpaid member of the CHA Board of Commissioners.

(t) "Person" means any individual, entity, corporation, limited liability company, partnership, sole proprietorship, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, whether or not operated for profit.

(u) "Political contribution" means any gift, subscription, loan, advance, deposit of money, allotment of money, or anything of value given or transferred by one person to another, including in cash, by check, by draft, through a payroll deduction or allotment plan, by pledge or promise, whether or not enforceable, or otherwise, for purposes of influencing in any way the outcome of any election. For the purposes of this definition, a political contribution does not include:

(1) A loan made at a market rate by a lender in the ordinary course of business;

(2) The use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided by an individual in rendering voluntary personal services on the individual's residential premises for candidate-related activities, provided the value of the service provided does not exceed an aggregate of $150.00 in a reporting period; or

(3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if such charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor.

(v) "Political fundraising committee" means any fund, organization, political action committee or other entity that, for purposes of influencing in any way the outcome of any election, receives or expends money or anything of value or transfers money or anything of value to any other fund, political party, candidate, organization, political action committee, or other entity.

(w) "Prohibited political activity" means:

(1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

(2) Soliciting contributions, including but not limited to purchasing, selling, distributing, or receiving payment for tickets for any political fund-raiser, political meeting, or other political event.

(3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

(4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or for or on behalf of a political organization for political purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

(10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election.

(x) "Relative" means a Person who is related to an Officer or Employee as spouse or as any of the following, whether by blood or by adoption: parent, child, brother or sister, aunt or uncle, great aunt or great uncle, first cousin, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister, half-brother or half-sister and includes the grandfather or grandmother of the Person's spouse and the Person's fiancé or fiancée.

(y) "Resolution" means any resolution, amendment, report or any other matter pending or proposed to the Board of Commissioners or a committee or a subcommittee including any other matters which may be the subject of a Board of Commissioners' action.

(z) "Seeking to do business" means taking any action within the past six (6) months, or expecting to take any action within the next six (6) months, to obtain a contract or business from the CHA.

(aa) "Subcontractor" means any entity or Person (including officers, agents, or employees acting within the scope of their employment) paid, directly or indirectly, with CHA funds for services which will inure to the benefit of the CHA, regardless of the nature of the relationship of such individual to the CHA for purposes other than this Policy.

ARTICLE III. SUBSTANTIVE CODE OF CONDUCT PROVISIONS

Part A. Duty to Report and Whistleblower Protection

Section 1. Duty to Report Corrupt or Unlawful Activity

(a) Every CHA Officer or Employee shall report, directly and without undue delay, to the CHA Inspector General or CHA Ethics Officer any and all information concerning conduct

which such Officer or Employee knows or should reasonably know to involve corrupt or other unlawful activity by: (i) another CHA Officer or Employee which concerns such Officer's or Employee's office or employment; or (ii) any Person dealing with the CHA which concerns the Person's dealings with the CHA.

(b) Every Contractor shall report, directly and without undue delay, to the CHA Inspector General any and all information concerning conduct which such Contractor knows or should reasonably know to involve corrupt or unlawful activity by: (i) any of its employees which concerns such employee's performance of CHA-related work; or (ii) any Person dealing with the CHA which concerns the Person's dealings with the CHA.

(c) Any Officer or Employee who knowingly fails to report a corrupt or unlawful activity as required in this section shall be subject to employment sanctions, including discharge, in accordance with procedures under which the Employee may otherwise be disciplined. A CHA Contractor's knowing failure to report corrupt or unlawful activity as required by this section shall constitute an event of default under the contract. For purposes of this section, a report made to the CHA Inspector General or Ethics Officer hotlines shall be considered to be a report under this section.

(d) Every CHA Officer, Employee, and Contractor shall cooperate with the CHA Inspector General, the CHA Ethics Officer, and Internal Auditors in the performance of their respective investigations.

Section 2. Whistleblower Protection

(a) For purposes of this section, "Retaliatory Action" means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms and conditions of employment of any employee that is taken in retaliation for an employee's involvement in protected activity as set forth in subsection (b) of this section.

(b) No Person shall take any Retaliatory Action against an Employee or any other Person because the Employee or the Person does any of the following:

(1) Discloses or threatens to disclose an activity, policy, or practice of any Officer, Employee, or CHA Contractor that the Employee or other Person reasonably believes evidences:

(i) an unlawful use of CHA funds or CHA funding for actions performed by or on behalf of the CHA, unlawful use of official authority, or other unlawful official conduct that poses a substantial and specific danger to public health or safety by any Officer, Employee or CHA Contractor; or

(ii) any other violation of a law, rule, or regulation by any Officer, Employee, or CHA Contractor that relates to their work performed for, or on behalf of, the CHA.

(2) Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any official activity, policy, or practice described in subparagraph (b)(1) above.

(3) Reports to, cooperates with, or assists the CHA Inspector General, the CHA Ethics Officer, or the Internal Auditors in the performance of their respective offices.

(c) If any Retaliatory Action is taken against an Employee in violation of this section, the CHA shall take such actions within its power to remedy the negative effects of such retaliation.

Part B. Improper Influence and Conflicts of Interest

Section 3. Improper Influence

No Officer or Employee shall make, participate in making or in any way attempt to use his position to influence any CHA decision or action in which he knows or has reason to know that he has any Financial interest distinguishable from that of the general public.

Section 4. Conflicts of Interest; Appearance of Impropriety

(a) No Officer or Employee shall make or participate in the making of any policy, or governmental or administrative decision, with respect to any matter in which he or she has any Financial interest distinguishable from that of the general public, or from which he or she has derived any income or compensation during the preceding 12 months or from which he or she reasonably expects to derive any income or compensation in the following 12 months.

(b) To avoid even the appearance of impropriety, any Officer who:

(1) has any Financial interest in any matter pending before the CHA; or

(2) has a Business relationship with a Person or entity with a matter pending before the CHA Board of Commissioners or any board committee that requires board action,

shall publicly disclose the nature and extent of such interest or Business relationship on the records of proceedings of the Board of Commissioners, and shall also notify the Ethics Officer of such interest within 72 hours of delivery of information regarding the matter to the board member, or as soon thereafter as the member is or should be aware of such potential conflict of interest. The Ethics Officer shall make such disclosures available for public inspection and copying immediately upon receipt. The board member shall abstain from voting on the matter but shall be counted present for purposes of a quorum. The obligation to report a potential conflict of interest under this subsection arises as soon as the member of the CHA Board of Commissioners is or should be aware of such potential conflict.

(c) Any Employee who has a Financial interest in any matter pending before the CHA shall disclose the nature of such interest to the Ethics Officer and the Chief Legal Officer and, if the matter is pending in his or her own department, to the head of the department. The obligation to report under this subsection arises as soon as the Employee is or should be aware of the pendency of the matter. This subsection does not apply to applications for health, disability or workers' compensation benefits.

Section 5. Interest in CHA Business

(a) No Officer or Employee shall have a Financial interest in his or her own name or in the name of any other Person in any contract, subcontract, work or business of the CHA, or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid with funds belonging to or administered by the CHA. Compensation for property taken pursuant to the CHA's eminent domain power shall not constitute a Financial interest within the meaning of this section.

(b) No Officer or Employee who has Contract management authority over any contract, work or business of the CHA shall have a Financial interest in any entity which is a Contractor, Subcontractor, or otherwise a party to that contract, work, or business.

(c) Unless sold pursuant to a process of competitive bidding following public notice, no Officer or Employee shall have a Financial interest in the purchase of any property that (i) belongs to the CHA, or (ii) is sold by virtue of legal process initiated by the CHA. No Officer or Employee shall engage in a transaction described in this section unless the matter is wholly unrelated to the Officer's or Employee's CHA duties and responsibilities.

Section 6. Representation of Other Persons

(a) No Officer or Employee may represent, or derive any income or compensation from the representation of, any Person other than the CHA in any formal or informal proceeding or transaction before the CHA in which the CHA's action or non-action is of a non-ministerial nature; provided that nothing in this subsection shall preclude any Employee from performing the duties of his employment, or any appointed Officer from appearing without compensation before the CHA on behalf of his constituents in the course of his duties as an appointed Officer.

(b) No Officer or Employee may represent, or derive any income or compensation from the representation of, any Person in any judicial or quasi-judicial proceeding before any administrative agency or court in which the CHA is a party and that Person's interest is adverse to that of the CHA, or in any judicial or quasi-judicial proceeding before any administrative agency or court in which the CHA may be liable for the judgment or may be obligated to indemnify any of the parties.

(c) No Officer or Employee may represent any Person in the circumstances described in subsection (a) or (b) unless the matter is wholly unrelated to the Officer's or Employee's CHA duties and responsibilities.

Section 7. CHA-Owned Property

No Officer, Employee, or Contractor shall engage in or permit the unauthorized use of CHA-owned property. Nothing in this provision prohibits Officers and Employees from utilizing telephone, facsimile, pagers, and computer equipment for limited personal use consistent with CHA's Communications Equipment Policy.

Section 8. Use or Disclosure of Confidential Information

No current or former Officer or Employee shall use or disclose, other than in the performance of his or her official duties and responsibilities, or as may be required by law, confidential information gained in the course of or by reason of his or her position or employment. For purposes of this section, "confidential information" means any information that may not be obtained pursuant to the Illinois Freedom of Information Act, or disclosed under the Illinois Open Meetings Act, or obtained without a court order.

Section 9. Solicitation or Receipt of Money for Advice or Assistance

No Officer or Employee, or the spouse, Domestic partner, or minor child of any of them, or any Covered relative shall solicit or accept any money or other thing of value including, but not limited to, gifts, favors, services or promises of future employment, in return for advice or assistance on matters concerning the operation or business of the CHA; provided, however, that nothing in this section shall prevent an Officer or Employee or the spouse or Domestic partner of an Officer or Employee from accepting compensation for services wholly unrelated to the Officer's or Employee's CHA duties and responsibilities and rendered as part of his or her non-CHA employment, occupation or profession if the Employee has complied with the approval provisions of Article III, Section 15.

Section 10. Prohibited Conduct

(a) No Officer or Employee or the spouse or Domestic partner of such Officer or Employee, or any entity in which such Officer or Employee or his or her spouse or Domestic partner has a Financial interest, shall apply for, solicit, accept or receive a loan of any amount from any Person who is either Doing business or Seeking to do business with the CHA; provided, however, that nothing in this section prohibits application for, solicitation for, acceptance of or receipt of a loan from a financial lending institution, if the loan is negotiated at arm's length and is made at a market rate in the ordinary course of the lender's business. This subsection shall not apply to an entity in which the only Financial interest of the Officer or Employee or his or her spouse or Domestic partner is related to the spouse's or Domestic partner's independent occupation, profession or employment.

(b) No Officer, or the head of any CHA department, shall knowingly retain or hire as a CHA Employee or CHA Contractor any Person with whom any Officer or Employee has a Business relationship.

(c) No Officer or Employee shall negotiate the possibility of future employment with any Person, except with a government agency, that has a matter currently pending before such Officer or Employee.

(d) For a period of one year from the date of employment or becoming a CHA Officer or Employee, no CHA Officer or Employee shall participate in a decision-making capacity in a matter that benefits his or her immediate former employer or immediate former client who the Officer or Employee represented or on whose behalf he or she acted as a consultant prior to becoming a CHA Officer or prior to commencing his or her CHA employment.

(e) No Officer or Employee shall use his or her office or position to secure a personal benefit, gain, or profit, or use his or her office or position to secure special privileges or exceptions for himself or herself, or for the benefit, gain, or profit of any other Person.

Section 11. Employment of Relatives

(a) No Officer or Employee shall employ, advocate for employment, or supervise, in any CHA department in which said Officer or Employee serves or over which he or she exercises authority, supervision, or control, any Person (i) who is a Relative of said Officer or Employee, or (ii) in exchange for or in consideration of the employment of any of said Officer's or Employee's Relatives by any other Officer or Employee.

(b) No Officer or Employee shall exercise Contract management authority where any Relative of the Officer or Employee is employed by or has contracts with any Person doing CHA work over which the Officer or Employee has exercised or exercises Contract management authority over any CHA contract if a Relative of the Officer or Employee will perform any part of the contract, or will derive an economic benefit from the contract, or if any Relative exercises or has exercised Contract management authority over the contract.

(c) No Officer or Employee shall use or permit the use of his or her position to assist any Relative in securing employment or contracts with any Person over whom the Employee or Officer exercises Contract management authority. The employment of or contracting with a Relative of such a CHA Officer or Employee by such a Person within six months prior to, during the term of, or six months subsequent to the period of a CHA contract shall create a rebuttable presumption that said employment or contract was obtained in violation of this Policy.

Section 12. Prohibited Political Activities

(a) No Officer or Employee shall intentionally perform any Prohibited political activity during any Compensated time.

(b) No Officer or Employee shall intentionally use any CHA property or resources of the CHA in connection with any Prohibited political activity, including but not limited to CHA issued electronic communication devices the use of which also is subject to the CHA Communications Equipment Policy.

(c) No Officer or Employee shall intentionally require at any time any other Officer or Employee to perform any Prohibited political activity: (i) as part of the other Officer's or Employee's duties; (ii) as a condition of employment; or (iii) during any compensated time off.

(d) No Officer or Employee shall be required at any time to participate in any Prohibited political activity in consideration of additional compensation or any other benefit, including a salary adjustment, bonus, compensatory time off, or continued employment.

(e) No Officer or Employee shall be awarded additional compensation or any benefit for such Officer's or Employee's participation in any Prohibited political activity.

(f) Nothing in this section shall be construed to prohibit activities that an Officer or Employee undertakes as part of such Officer's or Employee's official duties or such activities that the Officer or Employee may undertake on a voluntary basis, and which are not otherwise prohibited by this section.

Section 13. Solicitation or Acceptance of Political Contributions and Membership on Political Fundraising Committees

(a) The Hatch Act, 5 U.S.C. §1501 et seq., restricts the political activity of Employees in that they (i) may not be candidates for public office in a partisan election; (ii) may not use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office; or (iii) may not directly or indirectly coerce contributions from another Officer or Employee in support of a political party or candidate.

(b) No Officer or Employee shall compel, coerce or intimidate any other Officer or Employee to make, refrain from making or solicit any Political contribution or engage in political activities. No Officer or Employee shall knowingly solicit any Political contribution from any other Officer or Employee over whom he or she has supervisory authority. Nothing in this section shall be construed to prevent any Officer or Employee from voluntarily making or soliciting an otherwise permissible contribution or from receiving an otherwise permissible voluntary contribution.

(c) No Officer or Employee shall knowingly solicit or accept any Political contribution from a Person Doing business or Seeking to do business with the CHA.

(d) No Person with Contract management authority shall serve on any Political fundraising committee.

Section 14. Post-Employment Restrictions

(a) No former Officer or Employee shall assist or represent any Person other than the CHA in any judicial or administrative proceeding involving the CHA, if the Officer or Employee was

counsel of record or participated personally and substantially in the proceeding during his or her term of office or employment.

(b) No former Officer or Employee shall, for a period of one year after the termination of the Officer's or Employee's term of office or employment, assist or represent any Person in any business transaction involving the CHA, if the Officer or Employee participated personally and substantially in the subject matter of the transaction during his or her term of office or employment; provided, that if the Officer or Employee exercised Contract management authority with respect to a contract this prohibition shall be permanent as to that contract.

(c) The provisions of subsection (b) do not apply to any former Officer or Employee who is acting within the scope of his employment while employed by any other governmental unit.

Section 15. Outside Employment

All CHA Employees are prohibited from engaging in secondary employment unless the Employee's Department Director, the Director of Human Resources, and the Chief Legal Officer provide written approval of such secondary employment. Each January, all Employees are required to complete and submit a Secondary Employment Report and Request Form, attesting that the Employee does not have secondary employment or requesting approval for such employment. Such form must be submitted annually, even if secondary employment has previously been approved. Secondary employment includes traditional employment, independent contractor and self-employment arrangements. It is the Employee's obligation to seek approval before commencing secondary employment if the Employee's secondary employment status changes prior to the January reporting period. Employees are prohibited from obtaining secondary employment with the City of Chicago or any Sister Agency (Chicago Public Schools, Chicago Police Department, Chicago Park District, Metropolitan Water Reclamation District, etc.).

Section 16. Contract Inducements

No payment, gratuity or offer of employment shall be made in connection with any CHA contract, by or on behalf of a Subcontractor to the prime Contractor or higher-tier Subcontractor or any Person associated therewith, as an inducement for the award of a subcontract or order. This prohibition shall be set forth in every CHA contract and solicitation.

Part C. Gifts and Other Favors

Section 17. Offering, Receiving and Soliciting Gifts or Favors

(a) (1) Except as otherwise provided in this Policy, no Officer or Employee and, subject to subsection (g), no Covered relative, shall:

(i) Solicit any gift;

(ii) Accept any anonymous gift; or

(iii) Accept any gift of cash, gift card or cash equivalent.

(2) Except as otherwise provided in this Policy, no Officer or Employee and, subject to subsection (g), no Covered relative, shall knowingly accept any gift unless the total value of all gifts given to the Officer, Employee, or Covered relative by a single source amounts to no more than $50.00 in a calendar year; provided however, that Department of Procurement Employees shall be prohibited from accepting any gift in any amount from a CHA Contractor Doing business or Seeking to do business with the CHA.

(b) No Officer or Employee shall accept any gift or money for participating in speaking engagements, lectures, debates or organized discussion forums in the course of the Officer's or Employee's employment.

(c) No Officer or Employee shall offer, with intent to violate, or make a gift that violates, this section.

(d) The restrictions in subsection (a) shall not apply to the following:

(1) Any opportunity, benefit, loan, or service that is available to the public on the same terms.

(2) Anything for which the Officer or Employee pays the fair market value.

(3) Any gift from a Relative or personal friend, unless the Officer or Employee has reason to believe that, under the circumstances, the gift was given because of the official position of the Officer or Employee.

(4) Any bequest, inheritance, or other transfer at death.

(5) Any gift that is given to, or is accepted on behalf of the CHA, provided that any Person receiving the gift on the CHA's behalf shall immediately report to the CHA's Board of Commissioners, who shall add such gift to the inventory of CHA property.

(6) Any award for public service, provided that such award is not cash, a gift card, or cash equivalent.

(7) Any material or travel expense for meetings related to a public or governmental educational purpose, provided that any such travel has been approved in advance by the CHA's Chief Executive Officer and further provided that such travel is reported to the Chief Executive Officer within 10 days of completion.

(8) Any food, refreshment, lodging, transportation, or other benefit resulting from the outside business or employment activities of the Officer or Employee, if such benefits have not been offered or enhanced because of the official position of the

Officer or Employee, and are customarily provided to others in similar circumstances.

(9) Reasonable hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with meetings, public events, appearances or ceremonies related to official CHA business, if furnished by the sponsor of such meeting or public event, and further provided that such travel and expenses, entertainment, meals or refreshments are reported to the CHA Board of Commissioners within 10 days of acceptance.

(e) No Person shall give or offer to give to any Officer, Employee or CHA Contractor, or the Covered relative of such Officer or Employee, and none of them shall accept anything of value, including, but not limited to, a gift, favor or promise of future employment, based upon any mutual understanding, either explicit or implicit, that the votes, official actions, decisions or judgments of any Officer, Employee or CHA Contractor, concerning the business of the CHA would be influenced thereby. It shall be presumed that a nonmonetary gift having a value of less than $50.00 does not involve such an understanding.

(f) No Officer or Employee, or the Covered relative of such Officer or Employee, shall solicit or accept any money or other thing of value including, but not limited to, gifts, favors, services or promises of future employment, in return for advice or assistance on matters concerning the operation or business of the CHA; provided, however, that nothing in this section shall prevent an Officer or Employee, or the Covered relative of such Officer or Employee, from accepting compensation for services wholly unrelated to the Officer's or Employee's CHA duties and responsibilities and rendered as part of his or her non-CHA employment.

(g) The prohibitions of this section shall not apply to any food, refreshment, lodging, transportation, or other gift or benefit resulting from the outside business, employment or community activities of a Covered relative, if such benefit has not been offered or enhanced because of the official position or employment of the Officer or Employee, and is customarily provided to others in similar circumstances.

(h) An Officer or Employee does not violate this chapter if the Officer or Employee promptly takes reasonable action to return a prohibited gift to its source or gives any tangible or perishable gift to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

(i) No Officer or Employee shall solicit any gift on behalf of a third party, if: (i) that Officer or Employee knows that the prospective donor is seeking administrative action from the CHA, and (ii) the Officer or Employee is in a position to directly affect the outcome of that action.

Part D. Workplace Conduct

Section 18. Bullying Prohibition

All Officers and Employees are required to maintain high ethical and professional standards and treat each other with fairness, integrity, dignity, and respect at all times. The CHA considers workplace bullying unacceptable and will not tolerate it under any circumstances. Bullying is unwelcome or unreasonable behavior that intimidates, degrades, humiliates, or undermines another person, whether verbal, physical, or otherwise. Conduct which may be considered demanding shall not be considered bullying so long as it is respectful and fair, and the primary motivation for which is to convey performance expectations and standards or improve performance.

ARTICLE IV. FINANCIAL DISCLOSURE

Section 1. Statement of Financial Interests

(a) Each Officer and each Employee shall file a Statement of financial interests and shall be referred to as a "Reporting individual" for purposes of this section.

(b) Statements of financial interests shall also be filed by the following:

(i) A Person whose employment with the CHA is subject to consideration and approval by the CHA Board of Commissioners when the request to approve his employment is submitted to the Board of Commissioners for consideration;

(ii) Any other Person, when he becomes a Reporting individual, including Officers or Employees who become Reporting individuals because they are newly hired.

(c) Each Reporting individual shall file by May 1st of each year a verified written Statement of financial interests in accordance with the provisions of this article, unless he or she has already filed a statement with the Ethics Officer in that calendar year. A Statement of financial interests is considered filed when it is properly completed and received by the Ethics Officer or Chief Legal Officer.

(d) The Department of Human Resources shall cooperate with the Ethics Officer in notifying all Reporting individuals of their obligation to file Statements of financial interests and in effecting the filing of such statements.

(e) No Officer or Employee shall be allowed to perform his duties, nor shall he receive compensation from the CHA, unless he has filed a Statement of financial interests as required by this Article. Any Officer or Employee who fails to file a Statement of financial interests shall be referred to the Chief Legal Officer and the Chair of the Board of Commissioners to determine what further action should be taken.

Section 2. Content of Statements

Statements of financial interests shall contain the following information:

(a) The name, address, and type of any professional, business or other organization (other than the CHA) in which the Reporting individual was an officer, director, associate, partner, proprietor or employee, or served in an advisory capacity, and from which any income in excess of $1,000.00 was derived during the previous calendar year.

(b) The nature of any professional, business or other services rendered by the Reporting individual or by his or her spouse or Domestic partner, or by any entity in which the Reporting individual or his or her spouse or Domestic partner has a Financial interest, and the name and nature of the Person or entity (other than the CHA) to whom or to which such services were rendered if, during the preceding calendar year, (1) compensation in excess of $5,000 was received for professional or other services by the Reporting individual, or by such Reporting individual's spouse or Domestic partner, or by an entity in which the Reporting individual or his or her spouse or Domestic partner has a Financial interest and (2) the Person or entity was doing business with the CHA.

(c) The identity of any capital asset connected to an Instrument of ownership in a Person Doing business with the CHA, including the address or legal description of real estate, from which the Reporting individual realized a capital gain of $5,000.00 or more in the preceding calendar year other than from the sale of the Reporting individual's principal place of residence.

(d) The name of any unit of government, other than the CHA, which employed the Reporting individual during the preceding calendar year.

(e) The name of any board on which the Reporting individual serves and the position of the Reporting individual on such board.

(f) The name of any Relative or Domestic partner of the Reporting individual who is an employee or full or part-owner of a CHA Contractor.

(g) The name of any Person from whom the Reporting individual or the Reporting individual's spouse, Domestic partner, or Immediate family member received, during the preceding calendar year, one or more gifts having an aggregate value in excess of $250.00 but not including gifts from Relatives.

(h) The name and instrument of ownership in any Person conducting business with the CHA, in which the Reporting individual had a Financial interest during the preceding calendar year. Ownership interests in publicly held corporations and Real Estate Investment Trusts ("REITS") need not be disclosed.

(i) The identity of any Financial interest in CHA-owned real estate or real estate rented to individuals holding Section 8 Certificates, other than the principal place of residence of the

Reporting individuals and the address, or, if none, the legal description of the real estate, including all forms of direct or indirect ownership such as partnerships or trusts of which the corpus consists primarily of real estate.

(j) The name of any Person Doing business with the CHA with whom the Reporting individual, or his or her spouse, Domestic partner, or Immediate family member, has or had a Financial interest, or was employed by such Person Doing business with the CHA during the preceding calendar year, and the description of the Financial interest and/or the description of any position held by the Reporting individual in such Person.

(k) The name and instrument of debt of all debts in excess of $5,000.00 owed by the Reporting individual, as well as the name and instrument of debt of all debts in excess of $5,000.00 owed to the Reporting individual, but only if the creditor or debtor, respectively, or any guarantor of the debt, has done work for or business with the CHA in the preceding calendar year. Debt instruments issued by financial institutions whose normal business includes the making of loans of the kind received by the Reporting individual, and which are made at the prevailing rate of interest and in accordance with other terms and conditions standard for such loans at the time the debt was contracted need not be disclosed. Debt instruments issued by publicly held corporations and purchased by the Reporting individual on the open market at the price available to the public need not be disclosed.

(l) That such Reporting individual has not accepted or attempted to accept any bribes or kickbacks from any Person Doing business with the CHA, soliciting or Seeking to do business with the CHA, or who has done business with the CHA, or failed to report an offer of a bribe by any such Person.

Section 3. Form Statement of Financial Interests

The Statement of financial interests required to be filed with the Ethics Officer shall be completed by typewriting or hand printing, and shall be verified, dated, and signed by the Reporting individual personally. It shall be submitted on a form prescribed by the Ethics Officer in consultation with the Chief Legal Officer.

Section 4. Filing of Statements

(a) No later than February 1st of each year, the Department of Human Resources shall certify to the Ethics Officer and the CHA's Chief Legal Officer the names of the Persons described in Art. IV, Sec. 1 who are required to file a Statement of financial interests. In preparing this list, the Department of Human Resources shall list the names in alphabetical order. Not less than 30 days before the due date for filing Statements of financial interests, the Department of Human Resources shall certify to the Ethics Officer and the CHA's Chief Legal Officer a supplemental list of those Persons described in Art. IV, Sec. 1 who have, in the interim, become subject to the Statement of financial interests filing requirement. The supplemental list shall be in the same form and shall be filed in the same manner as the original certified list. In preparing this list, and the supplemental list, the Department of Human Resources

shall provide names of the departments to which the Officers and Employees have been assigned.

(b) No later than March 1st of each year, the Ethics Officer or the Chief Legal Officer shall, in writing, notify all Persons required to file Statements of financial interests under this Article.

(c) The Ethics Officer or Chief Legal Officer shall deliver a receipt to each Person who filed a statement under this Policy, indicating that the Person has filed such statement and the date of such filing.

(d) All Statements of financial interests shall be available for examination and duplication by the public in the Office of the Chief Legal Officer during the regular business hours of the CHA except as otherwise provided by law. Each Person examining or requesting duplication of a Statement of financial interests must first complete a request form prepared by the Ethics Officer. The request form shall include the name, occupation, employer, address and telephone number of the examiner as well as the date of and reasons for such examination or duplication. A separate request form must be completed for each Statement of financial interests to be examined. Requests for the examination or duplication of a Statement of financial interests shall be processed as soon as is practicable. Request forms shall be available in the Office of the Chief Legal Officer.

The Ethics Officer, through the Office of the Chief Legal Officer, shall promptly notify each Person required to file a Statement of financial interests of each examination or duplication of his or her statement by sending to such Person a copy of the completed request form. Costs of duplicating the Statement of financial interests shall be paid by the Person requesting duplication.

(e) No Person shall use information in or copied from Statements of financial interests required to be filed by this Policy or from lists compiled from such statements for any commercial purpose.

Section 5. Failure to File Statement by Deadline

(a) If any Person who is required to file a Statement of financial interests by May 1st of any year fails to file such a statement, the Ethics Officer or Chief Legal Officer shall by May 15th, notify such Person by certified mail of his failure to file by the specified date. Such Person shall file his statement on or before May 31st, along with a late filing fee of $30.00. Any Person who fails to file his or her statement on or before May 31st shall be subject to a fine of $10.00 per day until the statement is filed, up to a maximum of $100.00. Failure to file by May 31st shall constitute a violation of this Policy, except as provided in subsection (c).

(b) Any Person who first becomes subject to the requirement to file a Statement of financial interests within 30 days prior to May 1st of any year shall be notified at that time by the appointing or employing authority of the obligation to file and shall file his statement at any time on or before May 31st without penalty. The appointing or employing authority shall notify the Ethics Officer or Chief Legal Officer of the identity of such Persons. If such

Person fails to file such statement by May 31st, the Ethics Officer or Chief Legal Officer shall, within seven days after May 31st, notify such Person by certified mail of his failure to file by the specified date. Such Person shall file his Statement of financial interests on or before June 15th, along with a late filing fee of $30.00, with the Ethics Officer or Chief Legal Officer. Failure to file by June 15th shall constitute a violation of this Policy, except as provided in subsection (c).

(c) Any Person who is required to file a Statement of financial interests may effect one 30-day extension of time for filing the statement by filing with the Ethics Officer or Chief Legal Officer not less than ten (10) days before the date on which the statement is due, a declaration of his intention to defer the filing of the statement. The filing of such declaration shall suspend application of the late filing fee for the duration of the extension. Failure to file by the extended deadline shall constitute a violation of this chapter. A declaration of intention to defer filing is considered filed upon receipt by the Ethics Officer or Chief Legal Officer.

ARTICLE V. CHA ETHICS OFFICER

Section 1. Appointment of Ethics Officer

There is hereby created and established the position of Ethics Officer. The Ethics Officer shall be responsible for monitoring and enforcing the Ethics Policy. The Ethics Officer shall be appointed by the CHA Board of Commissioners with preference given to an independent contractor outside of the CHA. The Ethics Officer shall report administratively to the Chief Legal Officer and functionally to the CHA Board of Commissioners, as delegable to the CHA Board's Audit Committee. The Ethics Officer's name and contact information shall be posted on the CHA's website.

Section 2. Powers and Duties

In addition to other powers and duties specifically mentioned in this Policy, the Ethics Officer shall have the following powers and duties:

(a) To initiate and to receive complaints of violations of any of the provisions of this Policy and to investigate and act upon such complaints as provided by this Policy;

(b) To conduct investigations, inquiries and hearings concerning any matter covered by this Policy, and to certify his own acts and records. In the process of investigating complaints of violations of this Policy, the Ethics Officer may request the issuance of a subpoena by the appropriate authority. The Ethics Officer may exercise appropriate discretion in determining whether to investigate and whether to act upon any particular complaint or conduct. When the Ethics Officer determines that assistance is needed in conducting investigations, or when required by law, the Ethics Officer shall request the assistance of other appropriate agencies;

(c) To require the cooperation of Officers, Employees and other Persons whose conduct is regulated by this Policy, in investigating alleged violations of this Policy. Information reasonably related to an investigation shall be made available to the Ethics Officer by such Persons on written request;

(d) To consult with Officers and Employees on matters involving ethical conduct;

(e) To recommend such administrative action as he may deem appropriate to effectuate this Policy;

(f) To request the assistance of the Chief Legal Officer to conduct research and analysis in the field of governmental ethics;

(g) To prescribe forms for the disclosure and registration of information as provided in this Policy;

(h) With the assistance of the Office of the Chief Legal Officer, to render advisory opinions with respect to the provisions of this Policy based upon a real or hypothetical set of circumstances, when requested in writing by an Officer or Employee, or by a Person who is personally and directly involved.

(i) To carry out such educational programs as he deems necessary to effectuate the requirements and purpose of this Policy and to maintain records of these educational activities.

(j) To assist the Office of the Chief Legal Officer in conducting ethics education training to be attended or viewed by each Officer and Employee within 120 days of becoming an Officer or Employee, and annually thereafter. The training shall educate Officers and Employees as to their duties and responsibilities under this Policy. Each Officer and Employee shall certify that he or she has completed such annual ethics training, on a form to be prescribed by the Ethics Officer. Any Officer or Employee who fails to comply with this section shall be subject to a $500.00 fine.

Section 3. Actions on Complaints or Investigations

(a) The Ethics Officer may exercise appropriate discretion in determining whether to investigate and whether to act upon any particular complaint or conduct. The Ethics Officer may use the Office of the Chief Legal Officer to conduct investigations prior to the conclusion of an investigation. The Ethics Officer shall give the Person under investigation notice of the substance of the complaint and an opportunity to present such written information as the Person may desire, including the names of any witnesses the Person wishes to have interviewed by the Ethics Officer.

(b) The Ethics Officer is authorized to receive anonymous complaints alleging misconduct by Officers and Employees. The Ethics Officer may exercise appropriate discretion in determining whether to investigate and whether to act upon any particular anonymous

complaint. In doing so, the Ethics Officer shall consider the level of detail, corroborating evidence, accompanying documents, and credibility of the facts set forth in the complaint in determining whether further investigation is appropriate.

(c) Upon receipt of any complaint or notice of misconduct, the Ethics Officer may refer the complaint to the CHA Inspector General and/or the Internal Audit team if the subject matter of the complaint more appropriately falls within the jurisdiction of the CHA Inspector General and/or the Internal Audit team. In making such a determination, the Ethics Officer may respond to complaints or notices relating to a potential violation of the Ethics Policy or an employment related issue under the CHA Employee Handbook. The Ethics Officer may refer to the CHA Inspector General and/or the Internal Audit team complaints or notices relating to waste, fraud, and abuse within the CHA; Contractor, Subcontractor, consultant, or vendor misconduct, fraud or collusion involving CHA contracts and/or Contractors, Subcontractors, consultants, or vendors; misuse, embezzlement or theft of CHA resources; bribery; or other misconduct or illegal activities involving CHA property, Officers, Employees, Board members, agents, Contractors, Subcontractors, consultants, or vendors. The Ethics Officer, CHA Inspector General, and the Internal Audit team will consult, cooperate, and allocate investigative functions with respect to complaints or notices which raise issues that fall within their sets of responsibilities.

(d) At the conclusion of an investigation, the Ethics Officer shall prepare a written report, including a summary of any investigation conducted by the Office of the Chief Legal Officer, a complete transcript of any proceeding including, but not limited to, any testimony heard by the Ethics Officer, to be duly recorded by a qualified reporter, and including recommendations for such administrative or legal action as he deems appropriate. If the Ethics Officer determines that the complaint is not sustained, he shall so state in his report and shall notify the Person investigated and any other Person whom the Ethics Officer has informed of the investigation. If the Person investigated is an Employee and the Ethics Officer finds that corrective action should be taken, the Ethics Officer shall send his report to the Chief Executive Officer, the head of the department in which the Employee works and to the Chief Legal Officer. If the Person investigated is a department head, or appointed Officer, and the Ethics Officer finds that corrective action should be taken, the Ethics Officer shall send his report to the Chief Executive officer, the Chief Legal Officer and Chair of the Board of Commissioners. If the Person investigated is an Officer, and the Ethics Officer finds that corrective action should be taken, the Ethics Officer shall send his report to the Chair of the Board of Commissioners. A Person to whom the Ethics Officer has transmitted a recommendation for action shall, within thirty (30) days of receipt of the recommendation from the Ethics Officer, detail, in writing, the actions taken on the recommendation and, to the extent that the Person declines to take any recommended action, provide a statement of reasons for his decision.

Nothing in this section shall preclude the Ethics Officer from notifying a Person, prior to or during an investigation, that a complaint against him is pending and, where appropriate, recommending to him corrective action; provided, however, that any such notification and recommendation shall be

made in writing and a copy thereof shall be transmitted contemporaneously by the Ethics Officer to the Chief Legal Officer.

Section 4. Confidentiality

(a) Complaints to the Ethics Officer and investigations and recommendations thereon shall be kept confidential by the Ethics Officer, the Chair of the Board of Commissioners and the Chief Legal Officer, except as necessary to carry out the powers and duties of the Ethics Officer or to enable another Person or agency to consider and act upon the notices and recommendations of the Ethics Officer, provided that, without identifying the Person complained against or the specific transaction, the Ethics Officer may (a) comment publicly on the disposition of his requests and recommendations and (b) publish summary opinions to inform CHA personnel and the public about the interpretation of provisions of this Policy.

(b) Any Officer or Employee who is found to have publicly disclosed any information relating to an investigation or findings under this Policy unless such disclosure is otherwise permitted under this Policy, may be subject to sanctions up to and including dismissal or removal.

Section 5. Investigations by Other Agencies

(a) If the Ethics Officer is reliably informed that a matter under investigation is also a matter under investigation by the CHA Inspector General or a law enforcement agency, the Ethics Officer may, but is not required to, suspend his investigation. If an investigation is suspended the Ethics Officer may reinstate his investigation upon the conclusion of the investigation by the CHA Inspector General or the law enforcement agency.

(b) If the Ethics Officer has a reasonable basis for concluding that an investigation has revealed criminal conduct, the Ethics Officer shall refer the matter to the appropriate law enforcement authority.

ARTICLE VI. PENALTIES FOR VIOLATION

Section 1. Sanctions

(a) Any Officer or Employee found to have violated any of the provisions of this Policy, or to have furnished false or misleading information to the Ethics Officer with the intent to mislead, shall be subject to employment sanctions, including discharge, in accordance with procedures under which the Officer or Employee may otherwise be disciplined. Any Officer or Employee who intentionally files a false or misleading Statement of financial interests, or knowingly fails to file a Statement of financial interests within the time prescribed in this Policy, or otherwise violates any provision of this Policy, shall be subject to sanctions up to and including dismissal or removal from office. The sanctions imposed by this subsection shall be in addition to any other applicable penalty.

(b) Any Officer or Employee who intentionally violates any provision of Article I, Section 2 or Article III, Section 7 in a manner that would constitute a violation of Section 5-15 of the State Officials and Employees Ethics Act if the illegal action were committed by an employee or officer of the state government is guilty of a Class A misdemeanor as defined in the Illinois Criminal Code.

(c) Any Person who solicits, offers, makes or accepts a gift in a manner which would constitute a violation of Section 10-10 of the State Officials and Employees Ethics Act if the illegal action were committed by an employee or official of the state government shall be subject to a fine of not less than $1,001 and not more than $5,000.

(d) Any Officer, Employee or Contractor who fails to provide documents or information requested by the Ethics Officer shall be subject to employment sanctions, removal from office or cancellation of contract rights.

(e) Any CHA Contractor found to have violated any provision of this Policy may be prohibited from entering into any contract with the CHA for one year.

(f) All CHA contracts shall include a provision requiring compliance with this Policy. Any contracts negotiated, entered into, or performed in violation of any of the provisions of this Policy shall be void and/or voidable by the CHA. Any official action of the CHA obtained or undertaken in violation of any of the provisions of this Policy shall be invalid and without any force or effect whatsoever.

Section 2. Other Remedies and Policies

(a) Nothing in this Policy shall preclude the CHA from maintaining an action for an accounting for any pecuniary benefit received by any Person in violation of this Policy or other law, or to recover damages for any acts or practices in violation of this Policy.

(b) The procedures and penalties provided in this Policy are supplemental and do not limit either the power of the CHA to discipline Officers or Employees or take appropriate administrative action or to adopt more restrictive rules. Nothing in this Policy is intended to repeal or is to be construed as repealing the provisions of any other policy.

Section 3. Access to list of CHA Contractors

(a) The Department of Procurement and Contracts shall compile a list of all current CHA Contractors. The list shall be updated on a monthly basis and shall be made available to all Officers and senior staff by way of computer network. The list shall be made available to other Employees and to the public by: (1) the provision of a computer terminal that is placed in a readily accessible location; and (2) the provision of a telephone number which such Persons may call with inquiries.

(b) There shall be a presumption that any Person who reasonably relies on the aforementioned list to comply with this Policy is not in violation of the Policy if the purported violation is related to the identity of any CHA Contractor.

THIS POLICY SHALL BECOME EFFECTIVE UPON ITS ADOPTION BY THE CHICAGO HOUSING AUTHORITY BOARD OF COMMISSIONERS.