

CAMERON PARISH ASSESSOR'S OFFICE - ETHICS POLICY AND PROCEDURES

OBJECTIVE:

To provide policies and procedures regarding ethics including (1) the prohibitions as defined in Louisiana Revised Statute 42:1111-1121, (2) actions to be taken if an ethics violation takes place, (3) system to monitor possible ethics violations, and (4) requirement that all employees, including elected officials, sign and annual attestation that they have read and agree to comply with the ethics policy.

POLICY:

1. The Cameron Parish Assessor's Office requires all officials and employees to attend a one-hour officially sanctioned ethics training per year as well as follow the prohibitions and requirements under the Louisiana Code of Government Ethics (Ethics Code).
2. The department/entity agency head has a responsibility to report possible Ethics Code violations to the Louisiana Board of Ethics, pursuant to R.S. 42:1161(A). The agency head is also required to cooperate in connection with any investigation or hearing which is conducted by the Ethics Board.
3. Every agency head shall constantly screen all employees under his/her supervision to ascertain that such employees are needed to perform the work of the agency and shall promptly take the necessary steps to reduce the number of employees of the agency to a sufficient or satisfactory number required.
4. Complaints received from the public and from within the entity should be taken seriously and investigated by the department/entity agency head and the District Attorney. The investigative procedures should be fair and thorough, and any corrective action taken should be in accordance with this policy.
5. Officials and employees should annually attest through signature verification that he or she has read and agrees to comply with the Cameron Parish Assessor's Office ethics policies.

TITLE: Ethics – as defined in Louisiana Revised Statute 42:1111-1121

The Code of Governmental Ethics for Public Servants prohibits the:

- A. 1111A – Receipt of a thing of economic value from a source other than the governmental entity for the performance of official duties and responsibilities.
- B. 1111C(1)(a) – Receipt of a thing of economic value for the performance of a service substantially related to public duties or which draws on non-public information.
- C. 1111C(2)(d) – Receipt of a thing of economic value by a public servant for services rendered to or for the following;
 - 1. Persons who have or seeking to obtain a contractual or other business or financial relationship with the public servant’s agency;
 - 2. Persons who are regulated by the public employee’s agency; or
 - 3. Persons who have substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee’s official duties.

These same restrictions apply to the public servant’s spouse and to any legal entity in which the public servant exercises control or owns an interest in excess of 25%.

- D. 1115 – Elected officials and public employees are prohibited from soliciting or accepting a gift from the following persons:
 - 1. Persons who have or seeking to obtain a contractual or other business or financial relationship with public servant’s agency; or
 - 2. Persons who are seeking for the compensation to influence the passage or defeat of legislation by the public servant’s agency.

Public employees, not elected officials, are also prohibited from soliciting or accepting gift from the following persons:

- 1. Persons who conduct operations or activities regulated by the public employee’s agency; or
- 2. Persons who have substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee’s official duties.

The prohibition against soliciting or accepting a gift from certain persons extends to officers, directors, agents, or employees of such person.

The gift prohibition does not prohibit food or drink consumed as the personal guest of the person providing the food or drink, including reasonable transportation and entertainment incidental thereto. The person providing the food and drink may not provide a public servant more than \$60 of food and drink per single event. The \$60 limit does not apply to a gathering held in conjunction with a meeting of a national or regional organization or a statewide organization of government officials or employees or to a public servant of a post-secondary education attending a private fundraiser for the post-secondary institution.

The gift prohibition does not prohibit the receipt of promotional items having no substantial resale value (i.e. cups, hats, or pens with a company's logo).

- E. 1111E – Receipt of a thing of economic value for assisting someone with a transaction with the agency of the public servant.
- F. 1112 – Participation by a public servant in a transaction involving the governmental entity in which any of the following persons have a substantial economic interest:
 - 1. The public servant
 - 2. Any member of his immediate family
 - 3. Any person in which he has an ownership interest that is greater than the interest of a general class
 - 4. Any person of which he is an officer, director, trustee, partner or employee
 - 5. Any person with whom he is negotiating or has an arrangement concerning prospective employment
 - 6. Any person who is indebted to him or is a party to an existing contract with him and by reason thereof is in a position to affect directly his economic interests.

An elected official may participate in the debate and discussion of a matter which could violate this provision, but only if he discloses the nature of the conflict on the record of his agency prior to his participation in the debate and discussion, and prior to any vote taken on the matter. The elected official is not allowed to vote on the matter and he must recuse himself. R.S. 42:1120

Appointed members of boards and commissions may recuse themselves to avoid a violation of Section 1112. Unlike elected officials, they may not participate in the debate or discussion of the matter. They must recuse themselves from all participation. R.S. 42:1112D

Other public employees who are not sole decision makers can be disqualified from transactions that would violate this prohibition. A mechanism for disqualification is found in the rules promulgated by the Board. R.S. 42:1112C

- G. 1113A – For public servants, other than legislators or appointed members of boards and commission, bidding on or entering into any contract, subcontract or other transaction under the supervision or jurisdiction of the public servant's agency. This restriction also applies to the immediate family members of the public servant and to legal entities in which the public servant and/or his family members own an interest in excess of 25%.
1113B Appointed members of boards and commission are not only prohibited from bidding on or entering into such contracts, subcontracts or transactions under the supervision or jurisdiction of their board, but also being "in any way interested" in them. Also, the restriction applied to their immediate family members and legal entities in which they or their immediate family members have a "substantial economic interest".
- H. 1116-A – A public servants use of the authority of his office to compel or coerce a person to provide himself or someone else with a thing of economic value that they are not entitled to by law or the use of the authority of his office to compel or coerce a person to engage in political activity. Also, regulatory employee is prohibited from participating in any way in the sale of goods or services to person regulated by his agency, if a member of his immediate

family or if a business enterprise in which the regulator employee or members of his immediate family own in excess of 25% receives or will receive a thing of economic value by virtue of the sale.

- I. 1117 – It is prohibited for a public servant or other person to make payment, give, loan, transfer or deliver a thing of economic value to a public servant when the public servant is prohibited by the Ethics Code from receiving such a thing of economic value.
- J. 1119 – Nepotism
 - 1. Members of the immediate family of an agency head may not be employed in the agency.
 - 2. Members of the immediate family of a member of the governing authority or the chief executive of a governmental entity may not be employed in the governmental entity. The term “governmental authority” includes parish councils, police juries, school boards, town councils, boards of aldermen, etc...
 - 3. Note that the application of this restriction is not affected by whether the agency head, chief executive or governing authority member has authority over or actually participates in the hiring decisions – such family members are simply ineligible for employment.
 - 4. Exceptions:
 - a) Person employed in violation of this rule continuously since April 1, 1980;
 - b) A person employed for one year prior to their family member becoming an agency head;
 - c) Persons employed as volunteer firefighters;
- K. 1121 – Post Employment
 - 1. During the two-year period following the termination of public service as an agency head or elected official, these individuals may not assist another for compensation, in a transaction, or in an appearance in connection with any transaction involving their former agency nor may they render any service on a contractual basis to or for their former agency.
 - 2. During the two-year period following the termination of public service as a board or commission member, these individuals may not contract with, be employed in any capacity by, or be appointed to any position by that board or commission. The Board has interpreted “board or commission” to include a collective body that shares responsibility for its actions. This would include school boards, police juries, boards of aldermen, a group of selectmen, a council, etc...
 - 3. During the two-year period following the termination of public service as a public employee, these individuals may not assist another for compensation, in a transaction, or in an appearance in connection with a transaction involving the agency in which the former public employee participated while employed by the agency nor may the former public employee provide on a contractual basis to his former public employer, any service he provided while employed there.

Ethics Training

Each PUBLIC SERVANT shall receive a minimum of one hour of education and training on the Code of Ethics during each year of his public employment or term of office. Each political subdivision shall designate at least one person who shall provide information, notices, and update to employees and officials of the political subdivision and assist the board in any way necessary to fulfill the education requirements. Newly elected officials must receive training within 90 days of taking the oath of office. (R.S. 42:1170)

1. Persons who are public servants solely because they are an uncompensated, volunteer fireman or an uncompensated, auxiliary or reserve law enforcement officer are exempt from the training.
2. A former public servant whose public service in a calendar year lasted less than 90 days shall not be required to receive education and training.

An elected official must receive at least one hour of Campaign Finance training during his term of office

In addition to Ethics Training, each PUBLIC SERVANT shall annually attest through signature verification that he or she has read and agrees to comply with the Cameron Parish Assessor's Office ethics policies. Failure to comply with this Code may result in disciplinary action, including the possibility of dismissal, if warranted, legal proceedings or criminal sanction.

Failure To Comply

It is each employee's responsibility to ensure full compliance with all provisions of this Code and to seek guidance where necessary from the Chief Deputy or Agency Head (Assessor). To "do the right thing" and to ensure the highest standards of integrity is each employee's personal responsibility that cannot be delegated.

The Code of Governmental conduct is designed to ensure consistency in how employees conduct themselves within the Office, and in their dealings outside of the Office. The procedures for handling potential violations of the Code have been developed to ensure consistency in the process across the Entity.

No set of rules can cover all circumstances. These guidelines may vary as necessary to conform to local law or contract.

Reporting Illegal or Non-Compliant Conduct

Employees shall report any practices or actions believed to be inappropriate under this Code or illegal to the Chief Deputy or Agency Head. If it is appropriate, in view of the nature of the reported nature of the reported matter, reports of violations may be made directly to the higher level which is the Agency Head.

Where appropriate, concerns may be made on a confidential basis through the Louisiana Ethics Administration to the Toll-Free Phone Number: 1-800-842-6630 or email at ethicsboard@la.gov or by mail:

Louisiana Ethics Administration Program
P.O. Box 4368
Baton Rouge, LA 70821

All reports shall be promptly and properly investigated. The Cameron Parish Assessor's Office prohibits retaliation against any employee for such reports made in good faith, while it also protects the rights of the incriminated person.

Whistleblower Statute: R.S. 42:1169

Louisiana law protects public employees who report information which they reasonably believe is a violation of any provision of law, or any other acts of impropriety related to the scope or duties of public employment to their agency heads, the Louisiana Board of Ethics, or any person or entity of competent authority or jurisdiction. Any public employee who reports a potential violation shall be free from discipline or reprisal from his employer. This law is enforced by the Louisiana Board of Ethics. A public employee who is wrongfully suspended, demoted or dismissed due to the reporting of any act of wrongdoing shall be entitled to reinstatement of his employment as well as the receipt of any lost income or benefits. A person who is a public employee because of a contractual arrangement with a governmental entity or agency, whose contract is wrongfully suspended, reduced, or terminated as an act of reprisal for reporting an alleged act of impropriety, shall be entitled to reinstatement of his contract and receipt of any lost compensation under the terms of the contract.

Public Employee:

1. A public employee means anyone whether compensated or not, who is:
 - a) An administrative officer or official of a governmental entity who is not filling an elective office;
 - b) Appointed by any elected official when acting in an official capacity, and the appointment is to a post or position wherein the appointee is to serve the governmental entity or an agency thereof, either as a member of an agency or as an employee thereof;
 - c) Engaged in the performance of a governmental function; or
 - d) Under the supervision or authority of an elected official or another employee of the governmental entity.

ACKNOWLEDGMENT OF RECEIPT OF ETHICS POLICY & PROCEDURES

I hereby certify that I have received and read a copy of Cameron Parish Assessors Office (CPAO) Ethics Policy and Procedures Manual. I agree to abide by the terms of the Ethics Policy as a condition of my employment with CPAO.

I will direct any and all questions regarding the Policy or any other work-related ethical issues to the Chief Deputy or Agency Head (Assessor).

EMPLOYEE SIGNATURE

DATE

Cc: Employee File