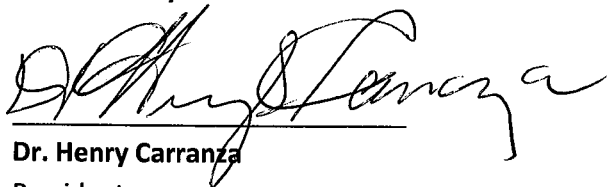


Roberto Martinez, Jr.
Director of Transportation
Webb County C.A.A.-El Aguila Rural Transit Department
Dated: 6/14/17

Passed and Approved by the Webb County Community Action Agency (C.A.A.) Advisory Board on the
14 day of June, 2017.
month year

Webb County C.A.A. Advisor Board



Dr. Henry Carranza
President

WEBB COUNTY:

Tano E. Tijerina
Webb County Judge

ATTESTED:

Margie Ramirez Ibarra
Webb County Clerk

APPROVED AS TO FORM:

Marco A. Montemayor
Webb County Attorney

*By law, the County Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s).

**Webb County Community Action Agency (C.A.A.) &
El Aguila Rural Transportation Department (El Aguila)
Internal Ethics and Code of Conduct Compliance Program & Policy**

1. The Webb County Community Action Agency (C.A.A.) Executive Director along with the El Aguila Rural Transportation Department Director of Transportation shall be charged with the monitoring within the agency and department respectively and will take appropriate action in response to compliance related issues. The Webb County CAA Executive Director along with the El Aguila Rural Transportation Department Director of Transportation and the Webb County Audit Department are responsible for oversight of the entity's internal ethics and code of conduct compliance program and policy, to enhance and promote an organizational culture that encourages ethical conduct and a commitment to compliance with all applicable laws and regulations.
2. Webb County CAA/ El Aguila Rural Transportation shall take possible steps to avoid the delegation of substantial discretionary authorities to individuals whom should know or should know have engaged in illegal activities. Organization shall conduct, as appropriate criminal background checks, application disclosures, affirmative statements, federal/state debarment for current and future employees as well as current and future board members that will have substantial discretionary authority and are involved in the handling of financial and/or highly confidential information.
3. All employees/board members shall be provided with and must familiarize themselves with the entity's internal ethics and code of conduct compliance program and policy. Appropriate steps will be taken by Webb County CAA/El Aguila to ensure that compliance standards are effectively communicated to all employees/board members by requiring participation in annual training of ethics and the components of the organizations internal ethics and code of conduct compliance program and policy. Training will be held during orientation and annually thereafter.
4. Webb County CAA/El Aguila Rural Transit shall also notify and provide a copy of the entity's internal ethics and code of conduct compliance program and policy to all agents/vendor's it does business with along with the expectations of its ethical behavior and compliance via either distribution of written materials, electronic, and/or verbal communication.
5. (a). Webb County CAA/El Aguila Rural Transit will conduct semi-annual audits, and a Quarterly Monitoring plan to assess and review the entity's internal ethics and code of conduct compliance program and policy in order to monitor compliance thereof and/or assist in the reduction of identified problem areas.

(b). Its employees are required to immediately report any suspicion of non-compliance with the entity's internal ethics and code of conduct compliance program and policy, or any unlawful or unethical behavior violations to the director of transportation, the executive director, governing board members and/or by and through the Webb County Human Resources Department Director, at webbcountytexas.gov. The entity's goal is to identify and address incidents of misconduct in an expeditious manner by encouraging employees to spot and report potential compliance issues to management. Employees who report suspected non-compliance with law or unethical behavior can do so without fear of retaliation.

6. Any employee who violates the Webb County CAA/El Aguila Rural Transit entity's internal ethics and code of conduct compliance program and policy shall be subject to disciplinary action up to termination, as well as applicable civil or criminal penalties. The Webb County CAA executive director along with the director of transportation or an assigned supervisor shall be responsible for periodically assessing and monitoring employee compliance with the entity's internal ethics and code of conduct compliance program and policy and the risk of criminal misconduct within the organization through internal control policies.
7. The Webb County CAA Executive Director along with the El Aguila Rural Transportation Department Director of Transportation or an assigned supervisor will be primarily responsible for responding to evidence of non-compliance and taking appropriate action to prevent future non-compliance issues.

Webb County CAA / El Aguila Rural Transportation Department
Code Of Conduct Policy

Introduction:

This policy prescribes the standards of ethical conduct for all employees of Webb County CAA/El Aguila Rural Transportation. All employees/board members shall be provided with and must familiarize themselves with the entity's internal ethics and code of conduct compliance program and policy. All employees/board members must abide by applicable federal and state laws, administrative rules, and this Code of Conduct Policy. An employee/board member who violates any provision of this Code of Conduct Policy is subject to disciplinary action up to and including termination and/or removal. An employee/board member who violates any applicable federal or state law or rule may be also be subject to civil or criminal penalties in addition to any disciplinary actions or removal.

Every employee/board member shall perform their duties in a lawful, professional and ethical manner; responsible stewardship of organizational resources, and report any conduct or activity that they believe to be in violation of this policy. Employees/board members shall not make false or misleading statements, oral or written. Employees/board members shall not disclose confidential or sensitive organizational business information without prior authorization.

1. Record Retention

Webb County CAA/El Aguila Rural Transportation is committed to proper maintenance and retention of records. Records are defined broadly to include almost all type of business information, and the required retention period varies with the type of records. Falsifying records, deliberately concealing records, destroying records in bad faith, exploiting confidential information, or otherwise mishandling records is not acceptable and any employee found in violation thereof may be subject to civil or criminal penalties in addition to any disciplinary actions.

Records management includes the application of administrative techniques to the creation, use, maintenance, retention, preservation and disposal of records for the purpose of reducing the cost and improving the efficiency of record keeping. Webb County CAA/El Aguila Rural Transportation will follow the standards contained in the Records Retention Policy as set forth herein.

When an open record request and/or lawsuit is filed or is anticipated to be filed against Webb County CAA/El Aguila Rural Transportation, or when an internal or governmental investigation is initiated, the entity

shall ensure that all information potentially relevant to the suit or investigation is made available, collected and preserved. Records will not be altered, concealed, or in any way destroyed that are potentially relevant to a suit or investigation. Appropriate steps will be taken to ensure potential relevant information is not inadvertently destroyed pursuant to documentation retention housekeeping, or by having routine computer back-up.

The Webb County CAA Executive Director along with the El Aguila Rural Transportation Department Director of Transportation or an assigned supervisor will be primarily responsible for responding to evidence of non-compliance with this records retention policy and/or taking any appropriate action to prevent future non-compliance issues with any and all provisions of the Code of Conduct Policy.

2. Fraud

Fraud is broadly defined, and may include any type of intentional deception for the purpose of personal or business gain or damage to an individual or organization. Fraud may include but not limited to; lying on an employment application, falsifying records, or providing false receipts for reimbursement from the agency.

Employees/board members must be good stewards of resources entrusted to them and exercise due diligence to prevent and detect criminal conduct and non-compliance with laws and policies. Fraud, waste, abuse, or non-compliance must be reported to the Webb County CAA Executive Director and/or the El Aguila Rural Transportation Department Director of Transportation. Engaging in acts of fraud may result in civil or criminal liability, in addition to any disciplinary action.

3. Equal Opportunity Employment

Webb County CAA/El Aguila Rural transportation utilizes an Equal Opportunity Employment Policy, which promotes and ensures equal employment opportunity for all persons regardless of race, color, disability, religion, national origin, or age.

4. Sexual Harassment and Sexual Misconduct

Webb County CAA/El Aguila Rural Transportation Sexual Harassment and/or Sexual Misconduct Policy does not tolerate any form of sexual harassment and/or sexual misconduct in the workplace.

Sexual harassment may include sexual advances, sexual solicitation, request for sexual favors, or other verbal or physical conduct of a sexual nature.

Sexual misconduct is also not permitted. All employees will treat one another and the general public with professionalism, respect, and fairness. Employees must conduct themselves with courtesy and restraint at all times on the job and whenever representing our agency.

If an employee believes they are being subject to sexual harassment or sexual misconduct by any person in the workplace, or if they witness any incident that appears to be a violation of the sexual harassment and sexual misconduct policies, it must be reported to an appropriate supervisor/manager.

If the subject of the complaint "is" the director, board member or any supervisor/manager the complaint shall then be forwarded and directed to the Webb County Human Resources Department Director. A full, complete, and confidential investigation will be conducted and appropriate action will be taken to correct the matter. Employees who report sexual harassment are protected from any form of retaliation by state and federal laws.

Supervisors or managers who receive reports of sexual harassment or sexual misconduct must report the complaints to the entity's Directors and the Webb County Human Resources Department Director regardless of the form of the complaint (formal or informal). All directors, supervisors and managers must keep accurate records of complaints or misconduct. Ignoring a report of sexual harassment or misconduct is unacceptable.

Importantly, if someone violates any such sexual harassment or sexual misconduct code of conduct and/or applicable laws, they may face civil and or criminal charges resulting in monetary fines or even jail time, in addition to any disciplinary actions.

5. Conflict of interest

Conflict of interest is a situation in which an individual's private self-interest is adverse to, conflicts with or competes with his or her public and/or professional position, interests or decision making duties. A conflict of interest may arise or stem from a personal, business, familial and/or financial interest. It may raise reasonable questions of conflict with their job and/or official related duties and responsibilities to the public. Importantly, if someone violates a conflict of interest law, they face civil and or criminal charges resulting in monetary fines or even jail time, in addition to any disciplinary actions.

Employee(s) shall not:

- Engage in any activity that would create a conflict of interest or even the appearance of a conflict of interest.

- Make personal investments in any enterprise that would create a conflict between the employee's private interest and Webb County CAA/El Aguila Rural Transit.
- Engage in outside business or professional activities or accept employment if the activities create a conflict between the employee's private interest and Webb County CAA/El Aguila Rural transportation

Local public officials (including members of advisory boards, governing bodies, and other officials, whether elected, appointed, unpaid, of any district including a transit authority or district), as well as certain other employees involved with contracting, are subject to conflict of interest provisions found in Chapter 171 of the Texas Local Government Code. Chapter 171 establishes the standard for determining when a local public official has a conflict of interest that would affect their ability to discuss, decide, or vote on a particular item. Other state and federal laws may be applicable to officials and employees in particular situations.

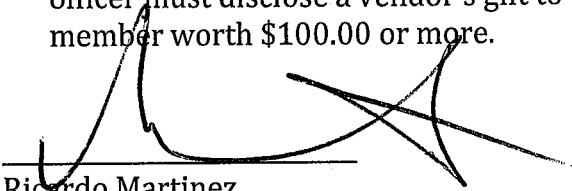
6. Personal use of Organization's Property

Property owned or leased by or provided to Webb County CAA/El Aguila Rural Transit may only be used for official purposes as authorized by the Webb County Commissioners court and/or director. Any misuse or unauthorized use of Webb County CAA/El Aguila Rural Transportation property, including information system resource, is subject to disciplinary action. Misuse of official property may also result in criminal prosecution, in addition to any disciplinary actions.

7. Gifts and Honoraria

Employees of Webb County CAA/El Aguila Rural Transportation should always consider if it is appropriate to accept something from someone who wants, or may want, or may be seen to want, an official favor within their authority. It is unethical to accept or give a gift that is meant to sway a decision in favor of the person(s) giving the gift.

Under Texas Local Government Code Chapter 176, a local government officer must disclose a vendor's gift to the officer or the officer's family member worth \$100.00 or more.



Ricardo Martinez
Executive Director
Webb County Community Action Agency
Dated: 6-14-17