

CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY - POLICY BOARD AND ADVISORY COMMITTEES

POLICY NUMBER: 901.B

VERSION: 2016-10

DATE ADOPTED: OCTOBER 17, 2016

OVERVIEW:

It is Oahu Metropolitan Planning Organization's policy to maintain the highest ethical standards and to comply with all applicable laws, rules, and regulations. It is OahuMPO's goal to create a reputation for integrity, fairness and respectfulness; of responsibility, trust, and sound judgment.

The OahuMPO's Code of Conduct and Conflict of Interest Policy establishes a code of conduct for Oahu Metropolitan Planning Organization's Policy Board and Advisory Committee Members. The OahuMPO's Code of Conduct and Conflict of Interest Policy provides guidelines for identifying and disclosing conflicts of interest and includes procedures to be followed should conflicts of interest, or situations that may result in the appearance of a conflict of interest, arise.

Questions about this policy should be directed to the OahuMPO Executive Director.

I. STATEMENT OF POLICY

All Policy Board members and Advisory Committee members are subject to the State of Hawai'i Ethics Code at all times while acting in the capacity of a Board Member. Compliance with this Policy does not excuse or relieve any person from any obligation imposed by any applicable city, state or federal laws or regulations. To the extent that there is any conflict between this Policy with any applicable city, state or federal law or regulation, the city, state or federal law or regulation shall prevail over this Policy.

If it is determined that a Board Member has failed to comply with this policy, the issue will be referred to the OahuMPO Policy Board for further action.

II. DEFINITIONS

OahuMPO: The Oahu Metropolitan Planning Organization which is the Metropolitan Planning Organization for the island of Oahu.

Code of Conduct and Conflict of Interest Policy: The written statement regarding acceptable behavior by OahuMPO's Policy Board and Advisory Committee Members.

Board: Policy Board or any Advisory Board or Committee such as the Technical Advisory Committee and the Citizens Advisory Committee

Board Member: Any official or appointee, who sits on any OahuMPO Board as a voting or non-voting member.

Official duties: A decision, recommendation, approval, disapproval, or other action, including inaction, which involves the use of discretionary authority.

Official authority: Administrative or legislative powers of decision, recommendation, approval, disapproval, or other discretionary action.

Policy: Code of Conduct and Conflict of Interest Policy – Policy Board and Advisory Committees, Policy No. 901.B

III. STANDARDS OF CONDUCT

A conflict of interest arises when a board member or any member of his or her immediate family has financial interests that could influence or interfere with, or give the impression of influencing or interfering with, the board member's ability to perform that board member's official responsibilities or duties. A conflict of interest also arises when there is a situation or situations which may result in inappropriate financial gain by the board member or their immediate family. Both results are damaging to OahuMPO.

Members of the Board shall at all times abide by and conform to the State of Hawai'i Ethics Codes.

More generally, members of the Board:

1. Shall conduct the business affairs of the OahuMPO in good faith and with honesty and integrity.
2. Shall abide in all respects to all rules and regulations of the Comprehensive Agreement (including any Supplemental Agreements) and the Board bylaws.
3. Shall not accept or solicit for personal gain, any benefit that may reasonably be inferred to tend to influence the Board Member to act improperly in the discharge of his/her official duties or official authority or that gives the appearance of being influenced.

4. Shall not use his or her position to secure official information about any person or entity for any purpose other than the performance of official responsibilities.
5. To the extent consistent with the Member's appointing agency's policies, shall not knowingly perform or refuse to perform any act in order to deliberately thwart the execution of the policies, rules or regulations of the Board.
6. Shall not personally provide services for compensation, directly or indirectly, to a person or organization who is requesting an approval, investigation, or determination from the Board.
7. Shall not use for their personal benefit and shall not disclose, except as may be required by law, confidential information gained in the course of or by reason of their positions. This provision shall not prohibit the disclosure of such information to incumbent public officials or employees to whose duties such information may be pertinent.
8. Shall acknowledge in writing receipt of this Ethics Policy.
9. Any Board Member with a conflict of interest or appearance of a conflict of interest shall not be involved in any decision or official action of OahuMPO. When a conflict of interest is present or relevant to a meeting of the OahuMPO Policy Board or any advisory committee meeting, the conflict shall be noted in the meeting minutes.

ACKNOWLEDGMENT

I acknowledge that I have received, reviewed and understand Oahu Metropolitan Planning Organization’s Code of Conduct and Conflict of Interest Policy – Policy Board and Advisory Committees 901.B. I agree to comply with the Policy.

(Signature)

(Print Name)

(Date)