

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

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ALL Districts

One of the greatest assets the Texas Department of Transportation (department) has is its reputation for being an ethical organization whose employees conscientiously strive to preserve and promote that reputation by being good stewards of the State's resources.

Government Code, §572.051 was amended in the 80th Legislative Session to require each state agency to adopt a written ethics policy and distribute it to each employee.

The department has existing policies in its Human Resources Manual that govern the ethical behavior of its employees.

The Texas Transportation Commission (commission) desires to place special emphasis on the ethical principles employed by the department by formally and publicly adopting a policy that sets uniform standards of ethical conduct for all employees.

IT IS THEREFORE ORDERED by the commission that the ethics policy attached as Exhibit A is hereby adopted.

IT IS FURTHER ORDERED that the executive director or his designee is directed to provide a copy of this policy to each employee of the department.

Submitted and reviewed by:

Recommended by:

General Counsel

Executive Director

Minute
Number

Date
Passed

TEXAS DEPARTMENT OF TRANSPORTATION ETHICS POLICY

I. OVERVIEW

The Texas Department of Transportation adopts the following ethics policy pursuant to Section 572.051(c) of the Texas Government Code.

This policy prescribes the standards of ethical conduct for all TxDOT employees. It does not supersede any applicable federal or state law or administrative rule. All employees must familiarize themselves with this policy.

All employees must abide by applicable federal and state laws, administrative rules, and TxDOT employee conduct policies, including this ethics policy. An employee who violates any provision of this or any other employee conduct policy is subject to disciplinary action up to and including termination. An employee who violates any applicable federal or state law or rule may be subject to civil or criminal penalties in addition to any disciplinary action.

II. STANDARDS OF CONDUCT

A. An employee shall not:

(1) engage in any activity that would create a conflict of interest or even the appearance of a conflict.

(2) purchase equipment, buildings, or any other property owned or formerly owned by the department, including buildings to be moved in connection with right-of-way acquisitions.

(3) make a personal investment in any enterprise that would create a substantial conflict between the employee's private interest and public duties.

(4) transact any department business with any business entity in which the employee is an officer, agent, member, or owner of a controlling interest.

(5) engage in outside business or professional activities or accept employment in private enterprises if the activities:

- interfere with the employee's working hours or efficiency;
- create a conflict between the employee's private interests and public duties;
- use or appear to use information obtained in connection with the employee's official duties; or
- could be expected to impair the employee's independence of judgment in the performance of the employee's duties.

(6) accept or agree to accept door prizes, gifts, benefits, or favors for the employee or others from any person, company, organization, or other entity that:

- could influence or reasonably appear to influence the employee in performing the employee's duties;
- does any kind of business with the department;
- could reasonably be expected to do business with the department in the future; or
- is regulated by the department in any way, including auditing, monitoring, inspecting, testing, supervising, or measuring.

However, employees may:

- accept ordinary business lunches
- accept token items that do not exceed an estimated value of \$25, where the items are distributed generally as a normal means of advertising, and

- visit dining or hospitality rooms or similar facilities, provided they have no restrictions on visitors, and are in conjunction with a conference, meeting, or other event approved by the department.

Exceptions to this policy must have the prior approval of the Executive Director as requested by a DE/DD/OD through the General Counsel's office.

(7) accept an honorarium other than reimbursement for food, travel, or lodging for appearing at an official, department-related event (such as a conference, workshop, seminar, or symposium).

(8) have any monetary interest, whether direct or indirect, in any contract or subcontract in connection with a department project.

(9) have any financial or other personal interest in any real property acquired for a department project, unless the interest is openly disclosed in the public records of the department, and the employee does not participate in the acquisition on behalf of the State.

(10) copyright or patent any work the employee produces or develops as part of his or her employment with the department when the work is related to a department goal, project, or concern.

(11) disclose confidential or sensitive department business information without authorization.

(12) use either the employee's status as a TxDOT employee or a badge or other state issued item to obtain any benefit, including financial gain or a privilege, or to avoid the consequences of an illegal act.

(13) use department resources, including work time, for other than official department business. Exceptions to this policy may be granted by TxDOT as reflected in the Human Resources Manual.

(14) knowingly make false or misleading statements, oral or written, in the course of official state business.

(15) engage in any political activity while on state time or use department resources for any political activity.

(16) favor any individual or entity on the basis of any personal friendship or financial or social relationship.

B. All employees shall:

- (1) perform their official duties in a lawful, professional, and ethical manner;
- (2) practice responsible stewardship of department resources; and
- (3) report any conduct or activity that they believe to be in violation of this ethics policy.