

**Cortland County BDC Ethics in Government Policy
(Per Section 74 of New York State Code of Ethics)
Approved January 2007**

The Board of Directors of the Cortland County Business Development Corporation and the Cortland County Industrial Development Agency, hereafter referred to as "the agencies" acknowledge their commitment to the Ethics in Government Act (1987), which represents a commitment to integrity and accountability in government. The Act is designed to prevent conflict between personal interests and official duties of officers and employees.

As a non-profit corporation, the Cortland County BDC is not subject to the Ethics in Government Act, but commits to endorsing the tenets of the statute, and adopting them as a policy statement governing ethics. Section 74 contains the Code of Ethics, which requires that officers and employees maintain the highest standards of conduct in carrying out the responsibilities of their respective positions.

BDC directors and employees will adhere to these sections of the Public Officers Law.

Political Activities

While employees or directors are not discouraged from participating in the political process, there must be a clear separation between their political activities and their duties as employees or directors. It is policy that no employee or director shall conduct political activities on paid time or use office space for any purpose other than official agency business. In addition, employees or directors shall not use their official authority to influence the political action of any person. Neither shall appointment to or removal from agency service, in any manner, be affected by one's political affiliation. Section 107 of the Civil Service Law and Sections 17-156 and 17-158 of the Election Law specify these prohibitions.

Affirmative Action

It is policy that equal opportunity will be assured in the personnel system and that affirmative action will be provided in the administration of that system in accordance with the requirements of the State's Human Rights Law, the mandates of Title VII of the Federal Civil Rights Act of 1964 as amended, and Executive Order No. 6 (1983).

Sexual Harassment

Every employee is entitled to a work environment free from any form of discrimination on the basis of race, creed, color, religion, national origin, or sex. Sexual harassment is one form of sex discrimination and is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 and the Governor's Executive Order No. 19 (1983, reissued 1996). The agency will not tolerate sexual harassment in the workplace. Sexual harassment is considered a form of employee misconduct. The agency will impose sanctions on individuals engaging in such conduct and on supervisory and managerial personnel who knowingly allow such behavior to continue.

Sexual Orientation

Executive Order No. 28 (as amended by Executive Order No. 28.1) asserts that the agency shall prohibit discrimination based on sexual orientation in any matter related to employment and shall not discriminate on such basis in the provision of services or benefits. Investigations into complaints of discrimination will be conducted with particular regard for confidentiality. General information regarding the Executive Order can be obtained by calling (718) 722-2060. Complaints should be addressed to the Division of Human Rights, Office of Sexual Harassment Issues, 55 Hanson Place, New York 11217.

Age Discrimination

Executive Order No. 96 (1987) mandates the promotion of the New York State policy against age discrimination in the workplace. The Order asserts that, unless otherwise provided by law, age may not be a factor in decisions related to hiring, retention, promotion, training, recruitment, and compensation of New York State employees.

Grievance Procedures for Employees and Directors

An employee or director has the right to grieve matters free from interference, coercion, restraint, discrimination, or reprisal. An employee or director may present his or her case at each step established by the grievance procedure and has the right to representation at each of these steps.

The initial steps are handled within the employee's supervisor and ending with the board of directors as the appointing authority. The Board may review those appeals it deems appropriate and may require the personal appearance of the grievant and others. A grievance may also be filed in the form of a letter or memo to the employee's supervisor.

Alcohol and Controlled Substances in the Workplace

Employees who engage in the unlawful distribution, sale or attempted sale, possession, or purchase of controlled substances while at the workplace or while performing in a work-related capacity will be subject to criminal, civil, and disciplinary penalties. Such illegal act, even if engaged in off duty, may result in disciplinary action. State policy also prohibits on-the-job use of or impairment from alcohol or controlled substances. An employee may be required to undergo a confidential medical examination to ascertain the cause of impairment or disability when there exists a "reasonable suspicion," based on specific, reliable observations, that such impairment or disability is a result of the use of alcohol or a controlled substance. If alcohol or controlled substance use or impairment is found to exist, the appointing authority will determine the appropriate course of action, which may include disability leave procedures.

Defense and Indemnification of State Officers and Employees

Section 17 of the Public Officers Law provides for the defense and indemnification of employees who are involved in civil lawsuits based on their employment with New York State. If such civil action or proceeding arises out of an act or omission that occurred while the employee was acting within the scope of official duties, the agency will provide for his or her defense or provide reasonable attorneys' fees. Likewise, the agency will indemnify

employees in the amount of any judgment or settlement obtained against them, provided that the injury or damage did not result from intentional wrongdoing on their part.

Review of an Employee's Personal History Folder

Only one official personal history folder is to be maintained for an employee. This folder should contain copies of personnel transactions, and all documents, memoranda, and correspondence relating to the employee's job performance, including written performance appraisals. Copies of such documents, memoranda, and correspondence should be provided to the employee at the time it is placed in the personal history folder. An employee is to be given the opportunity to review his or her personal history folder in the presence of an appropriate agency official within three working days of a written request to do so. In the event that the folder is kept other than the at the employee's work location, up to five working days notice may be required.

An employee has the right to place in the personal history folder a written response to any material he or she deems to be adverse, with such response being attached to the document at issue.