



UTAH INLAND
PORT AUTHORITY

Code of Conduct

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BP-15 Code of Conduct

Table of Contents

Revision Table	3
I. Purpose Statement	4
II. Regulatory / Legislative Requirements	4
III. Scope	4
IV. References	4
V. Definitions.....	4
VI. Roles & Responsibilities.....	4
VII. Policy.....	5
VIII. Values	5
IX. Reporting Concerns	5
X. Quality Customer Service	6
XI. Dress Code	6
XII. Abusive Conduct Prevention.....	7
XIII. Substance Abuse	7
XIV. Workplace Harassment.....	8
XV. Management’s Responsibility	9
XVI. Board Member Conflicts of Interest	10
XVII. Staff Member Conflicts of Interest.....	10
Outside Employment.....	10
Employment of Relatives	11
Business Opportunities	11
Outside Investments	11
XVIII. Book and Records.....	12
Financial Statements.....	12
Record Management.....	12
XIX. Protection of Property and Information	12
XX. Gifts	13
XXI. Political Activity.....	13
XXII. Environment	13
XXIII. UIPA Board Member Conflict of Interest Statement	15

BP-15 Code of Conduct

Revision Table

Version	Effective Date	Revision Author	Summary of Revisions
2.0	March 18, 2022	Amy Brown Coffin	Revised policy guidance, dress code, and formatting; Added conflicts of interest, books and records, protection of property and information, gifts, political activity, and environment sections
3.0		Amy Brown Coffin	Changed from PO-02 to BP-15; DHRM provided review, added Whistleblower and Personnel policy references, updated values, added section on board member conflicts of interest as well as additional details on staff conflicts of interest, added Board Member Conflict of Interest Statement form

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BP-15 Code of Conduct

I. Purpose Statement

This policy provides guidance on organizational expectations, best practices, behavior, and conflicts of interest for the Utah Inland Port Authority (UIPA).

II. Regulatory / Legislative Requirements

- Hatch Act of 1939
- UCA 63a-17-9-904 Political Activity of Employees
- UCA 63a-17-10 Controlled Substances and Alcohol Use
- UCA 63g-2-6 Government Records Access and Management Act
- UCA 67-16-5 Public Officers' and Employees Ethics Act

III. Scope

The policy covers all aspects of the UIPA Code of Conduct and is applicable to all staff and board members of the UIPA.

IV. References

- DHRM Rule 477-7 – Leave
- DHRM Rule 477-9 – Employee Conduct
- DHRM Rule 477-14 – Substance Abuse
- DHRM Rule 477-15 – Workplace Harassment
- DHRM Rule 477-16 – Abusive Conduct Prevention
- BP-08 Whistleblower Policy
- BP-11 Personnel Policy

V. Definitions

Term	Definition
DHRM	Department of Human Resources
OSA	Office of the State Auditor

VI. Roles & Responsibilities

Role	Responsibility
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BP-15 Code of Conduct

Director of Compliance	<ul style="list-style-type: none"> ● Oversee the Code of Conduct policy and training ● Manage the Conflicts of Interest disclosures
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VII. Policy

The Code of Conduct applies to all UIPA employees. We are expected to read, understand, and comply with the Code of Conduct and all UIPA policies.

The UIPA recognizes the conduct of all its employees greatly affects the quality of each employee's work satisfaction and credibility. It further affects the quality-of-service delivery to its customers. As representatives of the State of Utah, employees are required to display professionalism in their interactions with co-workers and customers and conduct themselves in such a way as to maintain the public trust. Employees who do not abide by these standards may be subject to disciplinary action.

Employees shall demonstrate support of the mission, vision, and values of the UIPA. They shall abide by the operating principles, rules, workplace policies and procedures that govern their work or professional activities.

VIII. Values

Our values are the heart of our culture at the UIPA. All UIPA staff members are expected to uphold these values. Our core values that are essential in achieving our mission and vision are:

- Accountability
- Sustainability
- Respect
- Collaboration
- Innovation

IX. Reporting Concerns

At times, we may encounter situations in which the right choice is not perfectly clear. If you need to ask for help or voice a concern, your leader is likely the best person to speak to. However, you are always encouraged to contact any of the following resources to seek guidance or report your concerns:

- Chief Compliance Officer
- UIPA Executive Leadership
- Division of Human Resources Management
- Office of the State Auditor's

For additional information on reporting concerns, please follow the Whistleblower Policy.

BP-15 Code of Conduct

X. Quality Customer Service

Employees will provide quality customer service to the public. Employees will treat co-workers and management with respect. Employees may not cause unnecessary disruption to their co-workers or to the workplace.

Employees may not be insubordinate, disloyal, or disrespectful to the orders of a supervisor or manager unless such order is reasonably believed to be in violation of this policy or other established policy, rule, or statute.

Quality customer service and respect to co-worker and management means:

- Communicating appropriately through:
 - Body language
 - The sound and tone of voice (it's often more important than the words used)
 - E-mail exchanges (sarcasm and arrogance, intended or not, may be perceived by the way words are used)
- Identifying, understanding, and anticipating the needs of others by:
 - Being sensitive to cultural differences
 - Knowing time requirements
 - Being attentive
- Instilling trust and confidence by:
 - Treating customers, co-workers, vendors, and community partners with respect and courtesy
 - Making them feel welcome and important
 - Providing a comfortable environment
 - Staying energized and projecting a positive attitude (you never get a second chance to create a positive first impression)
 - Listening
 - Obtaining feedback
 - Sending clear messages - concise communication
 - Refrain from offensive language and conversation

XI. Dress Code

Employees will be appropriately groomed and dressed for their position. Staff will wear clean and well-maintained attire appropriate to the type of work they do. Shoes are required and must also be well-maintained. In compliance with this policy, the following are examples of unacceptable attire:

- Clothing with obscene, foul language, or references to illegal substances
- Halter tops
- Muscle shirts
- Shorts
- Skirts shorter than mid-thigh
- Torn, patched/faded clothing
- Tube tops

BP-15 Code of Conduct

XII. Abusive Conduct Prevention

This policy, in reference to DHRM rule R477-16, Abusive Conduct Prevention, is intended to provide a work environment free from abusive conduct to include physical, verbal, or nonverbal conduct, such as derogatory remarks or insults intended to cause intimidation, humiliation, or unwanted distress. Employees may not intimidate, use physical harm or threats of physical harm against co-workers, management, or the public at any time.

Every UIPA employee is required to take Abusive Conduct training every two years.

Employees who feel they are being subjected to abusive conduct should do the following:

- Document the occurrence
- Continue to report to work
- Identify a witness or witnesses, if applicable
- Report to management or HR

An employee shall file a written complaint of abusive conduct with their immediate supervisor or any other supervisor in their direct chain of command, or the DHRM. Any supervisor who has knowledge of abusive conduct shall take immediate, appropriate action in consultation with DHRM and UIPA management to document the action. If an investigation reveals evidence of criminal conduct in an abusive conduct allegation, the Executive Director or designee and DHRM, may refer the matter to the appropriate law enforcement agency.

XIII. Substance Abuse

This policy, in reference to DHRM rule R477-14, Substance Abuse and Drug-free Workplace, is intended to provide a safe and productive work environment for employees and the public by prohibiting employees from unlawfully manufacturing, dispensing, distributing, or using any controlled substance or alcohol during work hours, on state property or while operating a state vehicle while on duty.

Employees shall report to work fit for duty and will not be under the influence of alcohol or illegal drugs, or otherwise impaired due to use or abuse of prescribed drugs.

Employees in highly sensitive positions are subject to random drug or alcohol testing without justification, reasonable suspicion, or critical incident. All drug testing shall be conducted in compliance with DHRM rule.

Managers who suspect an employee is impaired in the workplace shall contact the DHRM Field Office immediately. Management may take disciplinary action to include dismissal from employment if:

- There is a positive confirmation test for controlled substances.
- Results of a confirmation test for alcohol meet or exceed the established alcohol concentration cutoff level.

BP-15 Code of Conduct

- Management determines an employee is unable to perform assigned job tasks, even when the results of a confirmation test for alcohol shows less than the established alcohol concentration cutoff level.
- An employee refuses to submit to a drug or alcohol test.
- An employee substitutes, adulterates, or otherwise tampers with a drug or alcohol testing sample, or attempts to do so.
- An employee manufactures, dispenses, possesses, uses, sells, or distributes a controlled substance.
- An employee fails to complete a prescribed treatment without a valid reason.

Employees must notify their supervisor within five (5) calendar days when convicted under federal or state criminal statute regulating the manufacture, distribution, dispensation, possession, or use of a controlled substance.

Employees with issues related to drugs and/or alcohol use or abuse are encouraged to seek assistance through private services or Agency's employee assistance programs. Employees who wait to seek assistance until they have been reported to be impaired while at work and/or who test positive through a drug/alcohol test are subject to disciplinary action to include termination of their employment with the UIPA.

XIV. Workplace Harassment

This policy, in reference to DHRM rule R477-15, Workplace Harassment Prevention, is intended to provide employees and customers with a safe and productive work environment free from unlawful harassment based on race, religion, national origin, color, sex, age, protected activity or disability.

Workplace harassment is defined in policy as discriminatory treatment based on race, religion, national origin, color, sex, age, protected activity or disability that is unwelcome, pervasive, demeaning, ridiculing, derisive, or coercive, and results in a hostile, offensive, or intimidating work environment; or discriminatory treatment based on race, religion, national origin, color, sex, age, protected activity, or disability that results in a tangible employment action against the harassed employee.

Tangible employment action is any action by the UIPA leadership that results in a significant change in employment status such as hiring, firing, failure to promote, demotion, and undesirable assignments; or, a decision that causes a significant change in benefits, compensation decisions or work assignment. Tangible employment action does not include insignificant changes in employment status such as a change of job title without a change in salary, benefits, or duties.

All UIPA employees are to display professionalism in their interactions with co-workers and customers and conduct themselves in such a way that would provide an environment free from unlawful harassment and comply with State and Federal antidiscrimination laws.

Management shall permit employees who allege workplace harassment, retaliation, or both to file an oral or written complaint with their immediate supervisor, any other supervisor within their direct chain of command, or the DHRM Field Office.

BP-15 Code of Conduct

Employees who feel they are being subjected to workplace harassment, retaliation, or both should do the following:

- Document the occurrence
- Continue to report to work
- Identify a witness or witnesses if applicable
- Report it to their supervisor, another member of management or HR/DHRM

All complaints of workplace harassment, retaliation or both shall be reviewed and if warranted an investigation initiated by Human Resources following receipt of the complaint. If an investigation finds allegations to be sustained, management shall take appropriate administrative action. If an investigation reveals evidence of criminal conduct in the workplace harassment allegations, the agency Executive Director or the DHRM Division Director may refer the matter to the appropriate law enforcement agency.

No person may retaliate against any employee who opposes a practice forbidden under this policy, or has filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding or hearing, or is otherwise engaged in protected activity.

Once a complaint has been filed, the accused shall not communicate with the employee who filed the complaint regarding allegations of harassment.

XV. Management's Responsibility

If a supervisor knows or suspects that an employee may be or is being subjected to unlawful harassment, on or off duty, and the unlawful harassment may result in a tangible job action or the creation of a hostile work environment, the supervisor shall notify the Human Resources Office immediately for consultation and technical assistance. If the supervisor has a conflict of interest, the supervisor shall not interview the complainant or others about the allegation of harassment. (A conflict of interest may arise whenever the supervisor is the alleged harasser or whenever the supervisor has another special status with regard to the complainant or alleged harasser.) The supervisor shall not interview the alleged harasser unless the Human Resource Director or designee has reviewed the allegation and authorized such an interview.

The Human Resource Office shall maintain and store a separate record of all unlawful harassment complaints and investigations in accordance with State of Utah Division of Human Resource Management Rules. Supervisors shall not keep any additional separate files regarding complaints or investigations of unlawful harassment.

Records relating to reporting and investigation of unlawful harassment are classified as protected under the Utah Government Records Access and Management Act (GRAMA), Utah Code Annotated §63-2-101, et seq.

BP-15 Code of Conduct

XVI. Board Member Conflicts of Interest

Board members must adhere to the requirements pursuant to UCA 11-58-304 In order to comply with these requirements:

- Newly appointed board members will complete a Conflict of Interests Statement (See [XXIII – Board Member Conflict of Interest Statement](#)).
- A voting board member will recuse themselves from voting on any project area resolution or amendment if any of the above conflicts exist.
- Upon the adoption of a new project area, board members will need to complete an addendum to their existing Conflicts of Interests Statement.

XVII. Staff Member Conflicts of Interest

This policy, in reference to DHRM rule R477-9-3, Conflict of Interest, is intended to ensure employees do not participate in outside activities that interfere with their performance, conflict with the interests of UIPA or the State of Utah, or give reasons for criticism nor suspicion of conflicting interests or duties. We must avoid all real and potential conflicts between our personal interests and those of the UIPA.

We are all expected to act in the best interests of the UIPA and to exercise sound judgment when working on the UIPA's behalf. This means that UIPA decisions should be made free from any conflict of interest. Even the appearance of a conflict can damage your or the UIPA's reputation.

A "conflict of interest" can occur when outside activities or personal interests conflict or appear to conflict with our responsibility to the UIPA or when we use (or could use) our position with the UIPA or information we have acquired during employment in a way that creates a conflict between our personal interests and the interests of the UIPA.

UIPA staff members are required to promptly disclose all conflicts and potential conflicts of interest to management. These conflicts include outside employment, outside board participation, employment of relatives, close relative or involvement with third parties, and financial investment in project areas. Conflicts in which you may be involved inadvertently, due to either business or personal relationships with contractors, vendors (including sub-contractors of vendors), partners, business associates of the UIPA, or with other employees. Many real and potential conflicts of interest can be resolved.

Please remember that these guidelines also apply to members of your "Immediate Family," which includes spouses, domestic partners, parents, children, siblings, grandparents, grandchildren, in-laws, step-relatives, aunts, uncles, and other significant relationships.

Outside Employment

Any position that we hold outside our organization must not interfere with our ability to do our job at the Utah Inland Port Authority and act in our organization's best interest. Our job with the UIPA must always be our first priority. Because of potential conflicts of interest, employees cannot accept employment without prior approval. A conflict of interest may also exist if any member of our immediate family is employed by or acts as sub-contractor/affiliate for or has a position to influence our partners or vendors.

BP-15 Code of Conduct

Employees may not serve as a director, trustee, officer, advisory board member or consultant or in a similar paid or unpaid position, other than with the UIPA, without prior approval. Accordingly, we should promptly disclose any such situations.

An employee must notify UIPA leadership in writing of and obtain approval for outside employment. Employees shall apply themselves to and shall fulfill their assigned duties during the time for which they are compensated. Outside employment may not:

- Interfere with an employee's performance
- Conflict with the interests of UIPA or the State of Utah
- Give reason for criticism nor suspicion of conflicting interests or duties

Employment of Relatives

If we seek to hire or engage an immediate family member, or their company, to provide goods or services to the UIPA, we must first disclose the circumstances. In addition, if we are directly or indirectly involved in the hiring process, we must consult DHRM. The hiring process is outlined in the Personnel policy.

In order to avoid conflicts of interest, including the appearance of favoritism, we may not work directly for, work in the same chain of command as, supervise or be in a position to make (or in fact) make or influence employment decisions about an Immediate Family member. This includes anyone with whom you are romantically involved.

Business Opportunities

We may not accept business opportunities, fees, commissions or other advantageous financial arrangements from a contractor, partner, or vendor of the UIPA. In addition, we may not purchase for personal use the goods or services of the UIPA's vendors on terms other than those available to the general public.

Outside Investments

We should be careful in the case of investments that could affect or appear to affect our decision-making on behalf of the UIPA. This is especially true if we have discretionary authority in dealing directly or indirectly with that company as part of our job duties or if our investment in a company that does business with the UIPA is significant to us.

We may not make or hold a significant investment in a private entity that does business with or is seeking to do business with the UIPA without receiving approval. An interest is considered "significant" if it could impair, or reasonably appear to impair, our ability to act solely in the best interests of the Utah Inland Port Authority.

Note that these restrictions on outside investments do not apply to mutual funds or similar investments in which we do not have direct or indirect control over the particular investments included in the fund.

BP-15 Code of Conduct

XVIII. Book and Records

We must ensure that the UIPA's accounting and financial records meet the highest standards of accuracy and completeness. Employees shall make prudent and frugal use of state funds, equipment, buildings, and supplies.

Reporting accurate, complete, and understandable information about the UIPA's programs and financial condition is one of our most important duties. We must never make any false or artificial entries in our books and records. Transactions with no economic substance that serve only to accelerate, postpone, or otherwise manipulate the accurate and timely recording of revenues or expenses raise the prospect of inaccurate books and records and even proposing such transactions to third parties like partners and vendors could be inappropriate. If you have reason to believe that any of our books or records are being maintained in a fraudulent, inaccurate, or incomplete manner, or if you feel pressured to prepare, alter, conceal, or destroy documents in violation of UIPA policy, report your concerns according to the Whistleblower Policy.

Financial Statements

We must report any financial transactions accurately, completely, fairly, and in a timely and understandable manner. We also must ensure that the data we provide for the preparation of financial statements and reports complies with generally accepted accounting principles of the Governmental Accounting Standards Board (GASB) as well as the UIPA's internal controls.

Ensuring accurate and complete accounting and financial records is everyone's responsibility, not just a role for finance personnel. Accurate recordkeeping and reporting reflect on the UIPA's reputation and credibility and ensure that the UIPA meets its legal and statutory obligations. Whatever your part in this process, you are required to be honest and forthcoming – if you believe a transaction or payment cannot be accurately documented without raising legal questions or embarrassing the UIPA, the transaction should not be completed, and you should notify the Director Compliance or the Office of the State Auditor Hotline.

Record Management

We must retain all records according to the Government Records Access and Management Act. It is important that we take special care to retain all records that relate to any imminent or ongoing investigation, lawsuit, or audit involving the UIPA. This means, in part, that we may never destroy, conceal, or alter any records in order to impede an investigation, lawsuit, or audit. Engaging in such activity may expose at-fault individuals or the UIPA to criminal liability. We must comply with all applicable discovery and litigation hold instructions immediately and consistently.

XIX. Protection of Property and Information

We must protect UIPA property, which includes all tangible and intangible assets. We must work together to prevent and halt theft, destruction, or misappropriation of all UIPA property, including physical property, confidential information, and intellectual property.

Employees may not use state-owned IT resources for personal financial gain, political lobbying, visual or sexually explicit use, nor any other purpose which violates state or federal laws or

BP-15 Code of Conduct

workplace policies. This is more fully described in the State's Policy on Acceptable Use of Information Technology Services.

Physical property includes funds, facilities, equipment, and communications systems. If you suspect any wrongdoing towards the UIPA's physical property, please report your concerns immediately to the Director of Compliance.

Employees shall not reveal confidential information to unauthorized individuals. During the course of our work, we may learn confidential information about the UIPA, partners or other third-parties that is not known to the general public. In addition, you must not use or disclose the confidential information of others, including your former employers.

XX. Gifts

Employees will avoid all appearance of impropriety when accepting gifts. Employees are expected to comply with the Governor's Executive Order on Ethics.

We must not receive, accept, take, seek, or solicit directly or indirectly gifts that may influence UIPA decisions. We must be cautious when giving gifts or accepting gifts from anyone who does or seeks to do business with the UIPA. Doing so may improperly influence, or appear to influence, our ability to make faithful and impartial decisions. In addition, we may not solicit any gifts from current or potential vendors or other partners.

XXI. Political Activity

This policy, in reference to DHRM rule R477-9-4, Political Activity, is intended to provide employees guidance on involvement in political activities including running for public office, campaigning for candidates for public office, soliciting political contributions, and attending political fundraising functions. Our involvement in political activities must be at our own expense and on our own time.

XXII. Environment

The UIPA is committed to safeguarding the quality of life and health in its communities and to preserving the environment in conjunction with efficient and effective operations. As environmental stewards, the UIPA team expects its employees to minimize any negative impacts to the environment while conducting business on UIPA's behalf, and to cultivate harmonious relationships within our communities that are environmentally conscious and respectful. This means that UIPA operations will comply with all applicable environmental laws and regulations, as well as with established operating standards, policies, and procedures that provide a framework for environmental protection, accountability, and stewardship. The UIPA team demonstrates its commitment to the environment and its communities through the application of the following general principles:

BP-15 Code of Conduct

- We operate with respect for the environment by working to minimize any environmental hazards, conserve and protect natural resources, and manage our energy usage.
- We maintain regular, open, and timely communication with all parties affected by our environmental performance and consult with employees, public communities, regulatory agencies, and other partners to provide and solicit constructive feedback.
- We minimize and mitigate any adverse environmental effects by designing, constructing, operating, and maintaining sustainable infrastructure in an environmentally responsible manner.
- We prepare for and respond to emergencies and natural disasters in a timely and effective manner and remedy any resulting environmental damage.
- We strive to continually improve our environmental performance, accommodate evolving standards, and integrate, where appropriate, the results of scientific investigation and technological innovation to enhance environmental preservation.

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BP-15 Code of Conduct

XXIII. UIPA Board Member Conflict of Interest Statement

Pursuant to the Utah Inland Port Authority Act (Utah Code § 11-58-304)

I, _____, hereby declare the following: (PLEASE INITIAL)

_____ I do not own real property, other than a personal residence, which I reside in, within a project area¹, whether or not the ownership interest is a recorded interest.

_____ My family members (parents, spouse, siblings, children, grandchildren) do not own an interest in real property, other than a personal residence in which the family member resides, located within a project area¹.

_____ Neither I nor any of my family members (parents, spouse, siblings, children, grandchildren) own an interest in, are directly affiliated with, or are employees or officers of a private firm, private company, or other private entity that I reasonably believe is likely to: (i) participate in or receive a direct financial benefit² from the development of the authority jurisdictional land; or (ii) acquire an interest in or locate a facility within a project area¹.

_____ I hereby agree that I will not, at any time during my service, take any action to initiate, negotiate, or otherwise arrange for the acquisition of an interest in real property within the project area¹, if (i) the acquisition is in the personal capacity or in the capacity as an employee or officer of a private firm, private company, or other private entity; and (ii) the acquisition will enable the me to receive a direct financial benefit² as a result of the development of the project area¹.

I declare under penalty of perjury that the foregoing is true and correct.

_____ Date
_____ Signature

¹ Project Area
(a) the authority jurisdictional land; or
(b) land outside the authority jurisdictional land, whether consisting of a single contiguous area or multiple noncontiguous areas, described in a project area plan or draft project area plan, where the development project set forth in the project area plan or draft project area plan takes place or is proposed to take place.
² Direct financial benefit
(i) means any form of financial benefit that accrues to an individual directly, including:
(A) compensation, commission, or any other form of a payment or increase of money; and
(B) an increase in the value of a business or property; and
(ii) does not include a financial benefit that accrues to the public generally.