

CHAPTER: **Employment**

Effective Date: 07/22/98

SUBJECT: Department of Motor Vehicles Ethics Policy Statement  
Conn. Gen. Stat. 1-83(a)(2)

Last Revised: 09/01/12

Approved: \_\_\_\_\_ Melody A. Currey, Commissioner

The purpose of this policy is to establish and maintain high standards of honesty, integrity and quality of performance for all employees of the Department of Motor Vehicles (DMV). Individuals in government service have positions of significant trust and responsibility that require them to adhere to the highest ethical standards. Standards that may be acceptable within other organizations are not necessarily acceptable for the DMV. Ethical conduct and the avoidance of even the appearance of impropriety are of critical importance in our relationships with all members of the public, other agencies and private contractors.

This ethics policy is intended to be a general guide in determining what conduct is prohibited so that it may be avoided. It is intended to supplement and not supersede the Code of Ethics for State Employees and other applicable provisions of the Connecticut General Statutes. The following is a guide to the Code of Ethics for State Employees: [http://www.ct.gov/ethics/lib/ethics/publications/public\\_officials\\_guide\\_11.pdf](http://www.ct.gov/ethics/lib/ethics/publications/public_officials_guide_11.pdf)

It is expected that all employees will comply with the guidelines contained in this policy. Violations of these guidelines and prohibitions may subject an employee to administrative and criminal sanctions. Whether this occurs or not, the DMV retains the right to independently review and respond administratively to any alleged violation by an employee.

The following represents the minimum expectations for compliance. Inasmuch as it is not possible to write a policy to cover each and every business transaction, employees are encouraged to direct questions or concerns to their Supervisor, Manager, Human Resources Manager, Agency Legal Director who is the Agency Ethics Liaison or the Office of State Ethics.

A copy of this policy and any pertinent statutes will be provided to all employees, and will be posted on the agency's intranet site. The topic of ethics will be incorporated within the orientation program for all new employees. Additionally, the DMV will provide a copy of this policy to all vendors, contractors and other business entities doing business with the agency.

## **I. GIFTS /PAYMENTS**

No employee or member of his/her immediate family shall either individually or as a member of a group, directly or indirectly, accept or solicit any gift, discount or gratuity from any person or organization that previously had, currently has, or is expected to have a business relationship with the DMV or anyone acting on behalf of such a person or organization. Different rules apply to gifts that are offered by or solicited from persons outside the DMV than to gifts offered or accepted among employees. A gift is anything of value that you or a member of your family directly and personally receive for which you have not paid fair market value. Included among the items are luncheon and/or dinner payments, golfing fees, fees for social events, motor vehicle rebates and discounts, bottles of liquor and concert and sports tickets. This list should not be considered all-inclusive.

## **A. Gifts from Donors**

There are two types of donors, restricted and non-restricted.

Restricted donors include:

- Registered lobbyists or a lobbyist's representative;  
A list of registered lobbyists is available on the website of the Office of State Ethics (OSE)  
<http://www.ct.gov/ethics/cwp/view.asp?a=2309&q=428540&ethicsNav=1>
- Individuals or entities doing business with DMV;
- Individuals or entities seeking to do business with DMV;  
These two categories include all DMV's customers and vendors
- Individuals or entities engaged in activities regulated by DMV;  
This category includes all of DMV's business licensees
- Contractors pre-qualified by the Connecticut Department of Administrative Services

### **DMV Employees may not accept gifts in any amount.**

There are exceptions to the definition of "gift" that is contained in section 1-79 of the Connecticut General Statutes. DMV's policy recognizes the following exceptions:

1. Token Items: Items such as pencils, ballpoint pens and similar items used as advertisement "giveaways" fall within this category;
2. Admission to a charitable or civic event, including food and beverage provided at the event, but excluding lodging or travel expenses, **at which the employee participates in his/her official capacity**, if the amenities are provided by the primary sponsoring agency;
3. Goods and services provided to a state agency or quasi-public agency for use on state or quasi-public agency property or that support an event, and which facilitate state or quasi-public action or functions;
4. A certificate, plaque or other ceremonial award, provided the cost does not exceed one-hundred dollars (\$100.00);
5. A rebate, discount or promotional item available to the general public.

## **B. Gifts Between/Among State Employees**

No employee or member of his or her immediate family may give to or receive from a subordinate a gift costing one hundred dollars (\$100) or more. Similarly, a subordinate may not give or receive such a gift from his or her supervisor. This prohibition extends to all persons in one's chain of command, not just an immediate supervisor or subordinate. There is an exception for a "major life event" as defined by the Code of Ethics for Public Officials and State Employees. "Major life events" are listed in section 1-92-53 of the Regulations of Connecticut State Agencies. In those cases, the value of the gift may not exceed one thousand dollars (\$1000). It is not permissible for employees to pool their funds to purchase a gift costing over one-hundred dollars (\$100) for a supervisor or subordinate, or over one thousand dollars (\$1000) if the gift is for a major life event.

### **C. Payment for Necessary Expenses for Active Participation In an Event**

You may receive payment or reimbursement for necessary expenses only if you, in your official capacity, actively participate in an event; for example, by giving a speech or presentation, or running a workshop. Necessary expenses are limited to:

- Travel (coach or economy class);
- Lodging (standard cost of room for the nights before, of, and immediately following the event);
- Meals; and
- Related conference expenses.

Entertainment costs (tickets to sporting events, golf outings, night clubs, etc.) are not necessary expenses. Necessary expense payments also do not include payment of expenses for family members or other guests. A state employee may not receive a fee or honorarium for a speech or presentation given in his or her official capacity.

Within 30 days of receiving payment or reimbursement of necessary expenses for lodging or out-of-state travel, as a state employee or public official, you must file an ETH-NE form with the OSE. This form is available on the OSE's website <http://www.ct.gov/ethics/cwp/view.asp?a=3508&q=414910>. This form is not required if your necessary expenses were paid by the federal government or by another state government.

### **D. Vendor Sponsored Training**

Vendors may provide you with training for a product purchased by a state or quasi-public agency provided such training is offered to all customers of that vendor.

An employee may be permitted to visit the site of a vendor at the vendor's expense, whether in state or out of state, for educational purposes or specific technical training. However, the visit and its purpose must be reflected as a term of the vendor contract. The employees in these situations must still receive prior travel authorization from all appropriate state officials. This action must occur even though there is no cost to the State. All other official visits to vendor facilities by DMV employees must be at the State's expense, unless specifically approved by the Commissioner or his/her designee.

## **II. Outside Employment, Business Interests, Conflict of Interest and Confidentiality**

No employee shall allow personal business or obligations to take precedence over his/her responsibilities to the DMV. This prohibition is not intended to preclude an employee from responding to emergency situations. However, such situations should be the exception, rather than the norm. Supervisors are expected to use reasonable discretion in enforcing these provisions. Unless otherwise specified, an employee is not prohibited from engaging in outside employment so long as there is no actual or apparent conflict of interest.

Employees must, however, avoid any outside employment or other activity that interferes with their normal work time, or that affects the satisfactory performance of their state duties. Any outside employment or other activity that might discredit or reflect unfavorably on the employee or the DMV must be avoided. Employees are prohibited from performing work for any business licensed and regulated by the DMV. Employees must not engage in any outside employment, business or other activity that gives rise to a real or apparent conflict of interest. (An "apparent conflict of interest" arises whenever actions of an employee

create the appearance to an objective and informed person, knowing all the relevant facts, that the employee is violating a provision of law or this policy).

Employees are prohibited from obtaining outside employment that will impair their independence of judgment or require or induce disclosure of confidential information gained in State employment. The question of what constitutes impairment will be determined by the Office of State Ethics.

Employees are prohibited, during the course of performing their job responsibilities, from recommending or suggesting to any customer the purchase of any service or product from a specifically named repair facility, automobile dealership, or other business regulated by the DMV.

No employee shall seek or accept employment with, or compensation from any consultant, contractor, appraiser or any other organization or individual under contract or agreement with the DMV. Also, no employee or member of his/her immediate family, or business with which he/she is associated, may enter into a personal services contract or other contract, other than a contract of employment as a state employee with the DMV, valued at \$100 or more unless the contract has been awarded through an open and public process.

An employee is prohibited from using his/her state office or position for financial gain for such employee, his/her spouse, child, child's spouse, parent, brother or sister or business with which he/she is associated. Additionally, no employee shall have, directly or indirectly, a financial interest in any business, firm or enterprise doing business with the DMV that could cause a conflict of interest or influence the performance of the employee's duties. The financial interest referred to in this provision is not intended to apply to individuals who own less than five percent (5%) of the stock of a publicly owned corporation. The provisions of the State Code of Ethics must be strictly adhered to in this area.

Employees are prohibited from disclosing personal information from a motor vehicle record to any individual, organization or business entity except in accordance with the Driver's Privacy Protection Act, 18 U.S.C §2721 et seq. and section 14-10 of the Connecticut General Statutes, and unless specifically required as part of their job duties.

### **III. Political Activities**

Employees are not prohibited from seeking political office as long as it is not done on State time or using State equipment and supplies. However, any State employee who is elected to any state political office *may not* hold two government positions simultaneously. Therefore, any employee elected or appointed to State political office must resign or take a leave of absence from his/her position with the DMV. An employee holding municipal office is prohibited from engaging in political activity and/or in the performance of the duties of such office while on state duty or within any period of time during which that employee is expected to perform services for which that employee receives compensation from the State. Employees should consult with the Office of State Ethics prior to participating in a political campaign.

An employee seeking or holding office as permitted by Section 5-266a of the Connecticut General Statutes must notify the Division of Human Resources of this fact in writing.

No employee of the DMV may engage in partisan political activities while on state time. Additionally, no employee may use state materials, facilities or equipment for the purpose of participating in, or influencing a political campaign and/or election for any public office.

Under some circumstances, employees may be covered by the provisions of the federal Hatch Act. In general, the law covers employees whose principal employment is in connection with an activity that is financed in whole or in part by loans or grants made by the United States or a Federal agency. There are certain prohibitions that apply to political activity by covered employees. The provisions of the Hatch Act continue to apply while the employee is on vacation leave, sick leave, leave without pay and personal leave. Please contact the DMV Legal Director if you think you may be subject to prohibitions under the Hatch Act.

#### **IV. Activities upon Leaving State Service (Revolving Door)**

The State's ethics law and regulations prohibit state employees from performing certain activities upon leaving State service. Some of these prohibitions are limited to specific periods of time. Other prohibitions remain for the individual's lifetime. These situations are very case specific and employees should contact the Office of State Ethics for guidance. Former employees are prohibited from:

- Disclosing or using confidential information, gained in State service, for the financial benefit of any person.
- Representing anyone (other than the State) concerning any particular matter (1) in which he/she participated personally and substantially while in State service and (2) in which the State has a substantial interest.
- For one year after leaving State service, representing anyone (other than the State) for compensation before the Agency in which he/she was employed at the time of leaving State service, concerning any matter in which the State has a substantial interest. For purposes of this prohibition, the former employee would not be able to have any type of business-related contact on behalf of his or her new employer with personnel from his or her former agency, including telephone calls and e-mails. The former employee also may not sign any forms or other documents that would be filed at his or her former agency.
- Accepting employment with a party (other than the State) to a contract in which he/she participated substantially, or supervised the negotiation or award of a State contract valued at \$50,000 or more. This prohibition exists for one year after separation from State service if the separation occurs within one year after the contract was signed.

#### **v. Other**

##### **A. Personal Advertising, Solicitation and Sales**

An employee shall not solicit or canvass within the DMV for the sale of any goods, services or personal business without the express written approval of the Agency Legal Director. Such soliciting or canvassing, even with permission, shall not involve soliciting from subordinates, nor shall it be done on state time.

This prohibition does not extend to charitable fund raising activities approved by the Commissioner such as the Connecticut State Employees Campaign for Charitable Giving or events sponsored by the Employee Recognition Committee.

An employee is not allowed to post or distribute advertising material for such purposes without the express written permission of the Agency Legal Director. An employee is not allowed to use his/her business address, telephone number, title or status in any way to promote, advertise or solicit personal business.

## **B. Use of State Equipment**

The use of state equipment, including telephones, computers ( including e-mail), fax machines, and state vehicles for personal, non-work related purposes is prohibited. (Please refer to the DMV and the State of Connecticut's policies regarding the acceptable use of computers and related equipment ).

## **C. Transactions Involving Relatives, Friends and Acquaintances**

No DMV employee shall use his/her position or influence to gain employment for a relative, business partner, associate, client, etc. Relatives or others having special relationships with current employees are not prohibited from seeking employment with the DMV. However, no influence can be exerted to give the relative or person having a special relationship an advantage over others in the competitive selection process. Any such relationships must be disclosed during the competitive selection process and prior to any offer of employment being made. Relatives or others having special relationships with current employees may be considered for employment provided that the relative or other having a special relationship with a current employee would not be placed under the direct supervision of the employed relative or other person having a special relationship with a current employee, or in any position where the employed relative or other person having a special relationship with a current employee would be in a position to influence the salary, benefits, working conditions or other personnel transactions such as performance reviews or disciplinary transactions. This policy shall not be interpreted to require the automatic transfer, reassignment, or other personnel change, when such relationship exists upon implementation of the policy. The DMV reserves the right to take appropriate corrective action to remedy problems that may be created by such relationships.

Employees must be aware that signing certain documents may result in a violation of the State Code of Ethics if such actions would result in a financial benefit to a relative. Examples would be personnel forms, including performance appraisals, vouchers, reimbursement forms, contracts, and similar types of forms. Caution should be exercised, as a violation may occur even though unintentional.

Employees are prohibited from directly performing any transaction involving licensing, registering, inspection, document verification or validation for themselves, friends or relatives.

Employees may not use their employment status in an attempt to interfere with, or influence the outcome of any DMV proceedings involving the application of any state motor vehicle law as it may pertain to their own personal situation, the situation of friends or relatives, or as a favor to any person.

No DMV employee shall directly or indirectly, use, represent to use, promise or endeavor to use influence or official or political authority to secure for any person any appointment or prospect of appointment to any position within the classified service or to take any action contrary to any provision of the Connecticut General Statutes and State Personnel rules and regulations with respect to the examination, appointment and promotion of agency personnel.