OFFICE OF CONSUMER COUNSEL'S
ETHICS POLICY

I. INTRODUCTION

Employees of the Office of Consumer Counsel ("OCC"), as representatives of the State of Connecticut, have positions of trust and responsibility that require them to observe the highest ethical standards.

This policy summarizes the general rules that apply to OCC employees; however it is not exhaustive. Therefore, as an OCC employee, you are required to become familiar with and comply with the following:

- Code of Ethics for Public Officials, Conn. Gen. Stat. §§ 1-79 through 1-89a;
- Office of State Ethics Regulations;
- The Summary of the Code of Ethics for Public Officials; and
- DAS General Letter 214-D.

The first three items listed above may be found on the website of the Office of State Ethics, www.ethics.state.ct.us; DAS General Letter 214-D may be found on the DAS website, http://www.das.state.ct.us/HR/om/dasgldir.htm.

Please note that under state statute, compliance with the Code of Ethics (the "Code") is the responsibility of each employee.

II. DISSEMINATION OF THE POLICY AND OTHER ETHICS MATERIALS

A copy of this policy will be provided to all current and future employees of OCC. The policy will also be posted on the OCC website. Additionally, portions of the Code of Ethics addressing post-employment restrictions will be provided to each OCC employee before he or she leaves state service.

III. CONFLICT OF INTEREST PROVISIONS

In general, you may not use your public position or authority for personal financial benefit, nor compromise any confidential state information. The following list summarizes some of the specific prohibitions that may apply to you:

OTHER EMPLOYMENT. No employee may accept other employment that will impair his/her independence of judgment with regard to his/her state duties or would encourage the disclosure of confidential information gained in state service. Additionally, although an employee may use his/her expertise, he/she may not use his/her state position to obtain and/or to further his/her other employment. 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.

CONFIDENTIAL INFORMATION. Employees are prohibited from disclosing confidential information gained while employed at OCC. If you are unsure about whether certain information is deemed confidential, please ask your supervisor prior to releasing such information.

CONTRACTS WITH THE STATE. Employees, their immediate family members, and/or a business with which an employee or his/her family member is associated may not enter into a contract with the state valued at $100 or more, unless the contract has been awarded through an open and public process. Employees are also prohibited from interfering with or soliciting contracts for or on behalf of any person.

FINANCIAL BENEFIT. Employees may not use their official position or confidential information gained in their service for personal financial benefit, the financial benefit of a family member, or the financial benefit of a business with which they, or a family member, are associated.

Additionally, using state time, personnel or materials – including telephones, computers, e-mail systems, fax machines, copy machines, state vehicles and any other state systems or supplies – for a personal business or for other personal, non-state related purpose is considered a financial benefit to the employee, and is therefore strictly prohibited.

CONFLICTS OF INTEREST:

A. Substantial conflict of interests

You may not take official action on a matter if you have *reason to believe or expect* that you, your spouse, a dependent child, or a business with which you are associated will derive a *direct monetary gain* or suffer a *direct monetary loss* by reason of your official activity. (E.g., a state employee required, in the course of his or her official duties, to determine whether a consulting contract should be awarded to his or her spouse.)

You are not, however, considered to have a "substantial conflict" if the financial interest is shared by other members of your profession, occupation or group (e.g., all teachers).

B. Potential conflict of interests

Although a particular scenario may not pose a substantial conflict of interest, it may pose a potential one. A potential conflict exists if you would be required to take an action that you reasonably expect *would affect a financial interest* of yours or that of your spouse, parent, brother, sister, child or the spouse of a child or a business with which you are associated. The financial impact need not be direct. (E.g., a state employee required, in the course of his or her official duties, to implement a property-revaluation waiver submitted by his or her city, where he or she is a homeowner and where such a waiver will affect his or her property taxes.)

No potential conflict exists if the financial impact is de minimis (i.e., less than $100 per person per year) or indistinct from that of a *substantial* segment of the general public (e.g., all homeowners).

In the case of either a substantial or potential conflict, you must prepare a written statement signed under penalty of false statement describing the matter requiring action and the nature of the conflict and deliver a copy of the statement to your immediate superior who shall assign the matter to another employee.

BENEFITS THAT MAY INFLUENCE OFFICIAL ACTIONS.

Employees may not solicit or accept anything of value, including, but not limited to, a gift, loan, political contribution, reward or promise of future employment, based on an understanding that it will influence your official actions.

IV. GIFTS

As a state employee, you are restricted from receiving gifts from certain entities and individuals.

WHAT IS A "GIFT?"

A "gift" is anything of value that you have directly or personally received unless:

- You have given something of equal or greater value (including, but not limited to, money) in exchange for the item; or
- The item falls into one of the exceptions listed in Section 1-79(e) of the Connecticut General Statutes. Examples of items that are not considered to be "gifts" under this law include:
  - A gift received from your spouse, fiancé or fiancée, your or your spouse's parent, brother or sister, your child, your son or daughter in law;;
  - A certificate, plaque or other ceremonial award that costs less than $100;
  - A rebate, discount or promotional item that is available to the general public;
  - Food or beverages, provided that the gift-giver is in attendance when the food or beverages are consumed and that the total value of the food or beverages you receive from any single gift-giver is less than $50 per year;
  - A token item, such as a pen, mug or inexpensive baseball cap, that, in and of itself, costs less than $10, provided that the total value of the token items you receive from any single gift-giver is less than $50 per year.
  - A gift given to you or a member of your family for a "major life event," i.e., the birth or adoption of a child, a wedding, a funeral, a ceremony commemorating induction into religious adulthood (i.e., confirmation, bar mitzvah or bat mitzvah), or retirement from public service or state employment The limit for gifts given in honor of one of these listed "major life events" is $1,000.

GIFTS FROM REGULATED DONORS

In general, you may not accept any "gift" from a "regulated donor." "Regulated donors" include:

- Registered lobbyists or their representatives;
- Individuals or entities doing business or seeking to do business with OCC;
- Individuals or entities that are directly regulated by agencies before which OCC appears;
- State contractors pre-qualified by the Department of Administrative Services pursuant to Conn. Gen. Stat. § 4a-100.

A list of registered lobbyists can be found on the Office of State Ethics website. A list of pre-qualified state contractors can be found on the Department of Administrative Services website.

Please note that, while the exceptions to the definition of "gift" listed in C.G.S. 1-79(e) generally apply to items received from regulated donors, the "major life events" exception described above may only be used by lobbyists. You may not accept gifts for "major life events" from other regulated donors.

GIFTS FROM NON-REGULATED DONORS

In addition to the restrictions on gifts from regulated donors, the law also limits your ability to accept gifts from non-regulated donors who give you something because of your position in state service. Specifically, you may accept gifts from individuals or entities who are not regulated donors but who give you gifts because of your public position only if the total value of any gifts from a single gift-giver is less than $100 per year.

There are also restrictions on gift-giving between supervisors and subordinates. In most circumstances, any gift given and received between an OCC supervisor and a subordinate (whether or not they are in a direct reporting relationship) must have a value of less than $100 per gift. Please note that supervisors and/or subordinates cannot pool their money to give a group gift that is valued in excess of $99.99. The only exception to the $99.99 limit for gifts is the "major life event" exception described above.

V. FEES, HONORARIA AND NECESSARY EXPENSES

As a state employee, you may not accept fees or honoraria for an article, appearance, speech or participation in an event if you engaged in such activities in connection with or as part of your state employment. If, however, your involvement in such activities is not related to your state employment, you may be permitted to accept the fee or honoraria.

If you, in your capacity as a state employee, actively participate in an event (i.e., give a speech or presentation or run a workshop), you may be able to receive payment or reimbursement for necessary expenses. Necessary expenses can include: travel (not first class); lodging for the nights before, of, and after the appearance, speech or event; meals; and related conference or seminar registration fees. Entertainment costs and the payment of expenses for family members or guests are not necessary expenses.

Any employee who accepts payment or reimbursement from any entity other than the federal or a state government for necessary expenses for lodging and/or out-of-state travel must file a Form ETH-NE with the Office of State Ethics within 30 days of receiving the payment or reimbursement.

VI. RESTRICTIONS ON POLITICAL ACTIVITIES (Not under purview of OSE)

Connecticut's ethics laws and policies impose certain restrictions on the political activities of state employees. In general, you may not:

- Campaign for a candidate or otherwise engage in political activities during working hours;
- Use state funds, supplies, vehicles or facilities to promote a candidate, party or issue;
- Use your position to influence, directly or indirectly, any part of the political process, including the results of an election or a nomination for office and any payments, contributions or loans to a party, committee, organization, agency or person for political purposes; or
- Directly or indirectly coerce, command, or advise a state or local officer or employee to contribute anything of value to a party or person for political purposes.

OCC employees are not prohibited from seeking political office as long as it is not done on state time or with state equipment or resources. However, employees may not be employed by two branches of state government simultaneously. Therefore, any employee who accepts an elective state office must resign from his/her position with OCC.

Any OCC employee seeking an elective state office or a full-time elective municipal office must notify his/her supervisor of this fact in writing, within 30 days after nomination for that office.

VII. RESTRICTIONS ON POST-EMPLOYMENT ACTIVITIES

In addition, certain restrictions apply to the conduct of former OCC employees.

- There is a lifetime ban on disclosing confidential information that you learned in the course of your state employment.
- There is a lifetime ban on representing anyone other than the state in connection with any matter in which you substantially participated during your state employment and in which the state has a substantial interest.
- There is a one-year ban on representing anyone for compensation before OCC.
- There is a one-year ban on the Consumer Counsel (not staff) accepting employment by a public service company, a certified telecommunication provider or an electric supplier or any other business subject to regulation by agencies before which OCC appears. There is also a one-year ban on the Consumer Counsel, if said Consumer Counsel is also an attorney, appearing, participating or accepting compensation in any capacity in any matter before the Department of Public Utility Control.
- There is a one-year ban on being hired by a state contractor if, while you were employed by OCC, you were substantially involved in or supervised the negotiations or award of a state contract to that contractor within the last year of employment and the contract is valued at $50,000 or more.

VIII. REPORTING ETHICS VIOLATIONS

The Consumer Counsel and any member of the OCC procurement staff who has authority to sign contracts are required by statute to notify the Office of State Ethics whenever he or she has reasonable cause to believe that a person (including but not limited to state contractors) has violated any law or regulation relating to ethics. You may make your report directly to the Office of State Ethics.

If any OCC employee has any questions or concerns about potentially unethical conduct, immediately contact the OCC Ethics Liaison.

IX. VIOLATIONS OF THE CODE OF ETHICS

The Office of State Ethics has jurisdiction to interpret and enforce the Code. Violations may result in a formal complaint proceeding filed against an employee and sanctions of up to $10,000 per violation. The entire Code and the regulations, as well as a summary of these rules, may be found on the Office of State Ethics website, www.ethics.state.ct.us . Formal interpretations of the Code of Ethics can also be found on this website.

Please note that violations of the Code of Ethics may subject an employee to sanctions from agencies or systems external to OCC. Whether this occurs or not, OCC retains the right to independently review and respond administratively to violations. The conduct of the review and response will be in accordance with contractual and regulatory guidelines.

X. CONCLUSION

It is strongly recommended that all OCC employees avoid situations that are ethically questionable or that may give the appearance of being ethically questionable.

If you have any questions about this policy or if you are uncertain about how Connecticut's ethics laws and policies apply to a specific situation, contact the OCC Ethics Liaison, or the Office of State Ethics.

All reports made to the Office of State Ethics will be kept confidential to the extent permitted by law, and only those permitted by law will be notified of the identity of any individual reporting questionable behavior.

OCC strictly forbids retaliation against employees who make reports or who participate in internal or external investigations of any kind.

Mary J. Healey

Mary J. Healey, Consumer Counsel

8/30/10

Date