



**ERIE COUNTY WATER AUTHORITY**  
**INTEROFFICE MEMORANDUM**

To: Jerome D. Schad, Chair  
Peggy A. LaGree, Vice Chair  
Michele M. Ianello, Treasurer

Cc: Terrence D. McCracken, Secretary to the Authority  
Joyce A. Tomaka, Chief Financial Officer  
Charles E. Eaton, Chief Operating Officer  
Leonard F. Kowalski, Executive Engineer  
Raymond Herman, Ad Hoc Member  
Robert C. Freeman, Ad Hoc Member  
Brittneylee Penberthy, Ad Hoc Member

From: Mark S. Carney, General Counsel

Date: February 9, 2024

Subject: Independent Ethics Panel Recommendations for the 2023 Financial Disclosures

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On February 6, 2024, the Independent Ethics Panel (the “IEP”) held a meeting to review the following items, and subsequently forward their recommendations, to the Governance Committee and the Board of Commissioners:

- (1) ECWA Financial Disclosure Form for Calendar Year 2023;
- (2) Proposed Amended Policy No. 11:  
Code of Ethics & Conflict of Interest Policy;
- (3) Policy No. 16: Whistleblower Protection Policy
- (4) 2023 Vendor List;
- (5) Proposed employee letter sent via regular mail; and
- (6) Proposed employee mail.

A copy of each of the above documents, and the draft IEP meeting minutes, are attached to this memorandum for your review.

2023 Financial Disclosure Form

After discussion, the IEP recommends that the 2023 Financial Disclosure Statement includes a clarification regarding attorneys and the addition of a generalized box under additional information.

For attorneys, on page 5, under the Attorney section, the IEP would like to add the phrases “any member of your firm” and “any entity which conducts business with ECWA” to the existing language regarding attorney conflicts.



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The IEP requested an additional write in box on the form under “Additional Information” for a more generalized option for an employe to add any other ethical concerns not previously disclosed or requested on the form.

The form has also been updated to reflect the current disclosure year of 2023.

Policy No. 11 Code of Ethics & Conflict of Interest Policy

The IEP reviewed and discussed Policy 11, the Code of Ethics & Conflicts of Interest Policy. In order to ensure the Code of Ethics & Conflicts of Interest Policy is consistent with the Financial Disclosure Statement, the IEP recommends an additional subsection (f) to be added under “Section 4 Duty to Report” stating:

*If you are an attorney in private practice, you must disclose if you or any member of your practice represents any county, city, town or village (ie: municipal corporation), Indian nation or tribe, or any entity which conducts business with the Erie County Water Authority.*

Additionally, the Policy should be corrected to include previously Board approved designated employee job titles in Section 2 (b) which were erroneously removed from the revised Policy and Procedures approved by the Board of Commissioners on September 20, 2023. The job titles to be included are:

*Chief Instrument and Control Systems Specialist,  
Deputy Administrative Director, and  
“Any authority personnel overseeing a bid opening.”*

Policy No. 16 Whistleblower Protection Policy

No changes are recommended for Policy No. 16, Whistleblower Protection Policy.

2023 Vendor List

The Vendor List is sent to employees and others required to file an in-house financial disclosure, pursuant to Policy No. 11. All applicable filers will need to review the list to determine if they may have a potential conflict of interest that needs to be reported to the Authority. The Vendor List includes vendors receiving \$500.00 or more in the 2023 calendar year.



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Employee Letter and Employee Email

The Authority notifies those required to file an in-house financial disclosure statement by both regular mail with a hard paper copy of all the necessary documents and by email with links to all the documentation necessary to complete the financial disclosure statement. In the past year, there has been an issue with some terminated and retired employees being slow to respond to the request to complete the Financial Disclosure Statement. Accordingly, the IEP recommends that the following sentence be printed in a bold font to bring attention to the requirement to return the completed financial disclosure: “This includes retirees and/or any person that was employed at the Authority in any part of the year 2023.”

The Independent Ethics Panel and General Counsel agree recommending these changes to both the Governance Committee and the Board of Commissioners for the 2023 Financial Disclosure Packets to be distributed in April 2024.

MSC:mes

ERIE COUNTY WATER AUTHORITY  
AUTHORIZATION FORM  
For Approval/Execution of Documents  
(check which apply)

**Contract:** \_\_\_\_\_ **Project No.:** \_\_\_\_\_  
**Project Description:** Approval of 2023 Independent Ethics Packet for mailing to employees required to submit a Financial Disclosure Statement.

**Item Description:**

- |   |  |   |                                       |
|---|--|---|---------------------------------------|
| <input type="checkbox"/> Agreement  | <input type="checkbox"/> Professional Service Contract | <input type="checkbox"/> Amendment          | <input type="checkbox"/> Change Order |
| <input type="checkbox"/> BCD  | <input type="checkbox"/> NYSDOT Agreement              | <input type="checkbox"/> Contract Documents | <input type="checkbox"/> Addendum     |
| <input type="checkbox"/> Recommendation for Award of Contract   | <input type="checkbox"/> Recommendation to Reject Bids |   |                                       |
| <input type="checkbox"/> Request for Proposals  |  |   |                                       |
| <input checked="" type="checkbox"/> Other <u>Approval of 2023 FDS, 2023 Vendor List and IEP Employee Communications</u> |  |   |                                       |

**Action Requested:**

- |   |  |
|---|--|
| <input type="checkbox"/> Board Authorization to Execute   | <input type="checkbox"/> Legal Approval                              |
| <input type="checkbox"/> Board Authorization to Award   | <input type="checkbox"/> Execution by the Chairman                   |
| <input type="checkbox"/> Board Authorization to Advertise for Bids                                | <input type="checkbox"/> Execution by the Secretary to the Authority |
| <input type="checkbox"/> Board Authorization to Solicit Request for Proposals                     |  |
| <input checked="" type="checkbox"/> Other <u>Board approval of 2023 Independent Ethics Packet</u> |  |

**Approvals Needed:**

**APPROVED AS TO CONTENT:**

- |   |   |                        |
|---|---|------------------------|
| <input type="checkbox"/> Other (if Applicable)      | _____   | Date: _____            |
| <input type="checkbox"/> Chief Operating Officer    | _____   | Date: _____            |
| <input type="checkbox"/> Executive Engineer         | _____   | Date: _____            |
| <input type="checkbox"/> Director of Administration | _____   | Date: _____            |
| <input type="checkbox"/> Risk Manager               | _____   | Date: _____            |
| <input type="checkbox"/> Chief Financial Officer    | _____   | Date: _____            |
| <input checked="" type="checkbox"/> Legal           |  | Date: <u>2/12/2024</u> |

**APPROVED FOR BOARD RESOLUTION:**

- |  |  |                        |
|--|--|------------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority |  | Date: <u>2/12/2024</u> |
|--|--|------------------------|

**Remarks:** \_\_\_\_\_  
\_\_\_\_\_

**Resolution Date:** \_\_\_\_\_ **Item No:** \_\_\_\_\_

**MINUTES and REPORT of the MEETING of the ERIE COUNTY WATER AUTHORITY'S INDEPENDENT ETHICS PANEL held in the first-floor conference room, 3030 Union Road, Cheektowaga, New York 14227 on the 13th day of June 2023.**

**PRESENT: Raymond Herman, Ad hoc Member  
Robert C. Freeman, Ad hoc Member  
BrittanyLee Penberthy, Ad hoc Member  
Jacqueline Mattina, Associate Attorney  
Mary Stepanik, Confidential Liaison**

**CALL TO ORDER AT 9:15 a.m.**

**I. - ROLL CALL**

**II. - READING OF MINUTES**

Motion by Ms. Penberthy, seconded by Mr. Freeman, to waive the reading of the Minutes of the Meeting held on Thursday February 14, 2023.  
Motion carried 3-0.

**III. - APPROVAL OF MINUTES**

Motion by Mr. Freeman, seconded by Ms. Penberthy, to approve the Minutes of the Meeting held on Thursday February 14, 2023.  
Motion carried 3-0.

**IV. - NEW BUSINESS**

**1. Review Financial Disclosure Statements for Calendar Year 2022**

Round #1: In the first round, the Panel reviewed financial disclosures submitted by the three (3) current Commissioners. The Panel noted that one of those individuals disclosed a family member working for the Authority, but it was determined that the family member is subject to the grandfather provision of the Authority's Code of Ethics and Conflicts of Interest Policy. The Panel also determined that one individual would be sent a cautionary letter explaining their responsibilities as they pertain to a business owned by them and potential conflicts. The Panel approved the three individuals' statements.

Motion by Mr. Freeman, seconded by Ms. Penberthy, to approve all three financial disclosure statements of the current Commissioners.

Motion carried 3-0.

Round #2: The Panel reviewed three (3) financial disclosure statements submitted by the Independent Ethics Panel members. The Panel approved all three statements with each Panel member abstaining on their own statement.

Motion by Mr. Herman, seconded by Mr. Freeman, to approve all three financial disclosure statements of the Independent Ethics Panel.

Motion carried 3-0.

Round #3: The Panel reviewed six (6) financial disclosure statements of present and former Executive Staff (the four Division Heads, a former Division Head, and the Executive Engineer). Two individuals indicated they had family members working for the Authority. One individual indicated he or she had not yet filed with the Erie County Board of Ethics (ECBOE) as required to do so by the Authority's Code of Ethics and Conflicts of Interest Policy. The Panel approved all six individual's statements determining that those filers disclosing family members working for the Authority were subject to the grandfather provisions of the Authority's Code of Ethics and Conflicts of Interest Policy. Additionally, the Panel was provided with verification that the individual mandated to file with the ECBOE had in fact done so.

Motion by Mr. Herman, seconded by Mr. Freeman, to approve all six financial disclosures.

Motion carried 3-0.

Round #4: The Panel reviewed ten (10) financial disclosure statements from the Authority's six (6) full-time and four (4) part-time attorneys. It was determined that three part-time attorneys and one full-time attorney disclosed representing municipalities for which the Authority provides domestic and commercial water services. After a review of the circumstances there was no indication of conflicts at this time. After discussion it was determined a cautionary letter would be sent to the affected four attorneys reminding them of their responsibilities under the Authority's Code of Ethics and Conflicts of Interest Policy and Public Officer's Law. The Panel then discussed and determined that the "cautionary letter" should also be sent to one Panel member who is an attorney and had also disclosed representing a municipality.

The Associate Attorney on behalf of the Panel was directed to send a follow-up letter to the affected five individuals.

Motion by Mr. Herman, seconded by Ms. Penberthy, to approve all ten financial disclosures.

Motion carried 3-0.

Round #5: The Panel reviewed thirty (30) remaining financial disclosures. Of those, twenty-seven (27) were approved including two individuals who disclosed the name of family members who work at the Authority, but who are subject to the grandfather provision of the Authority's Code of Ethics and Conflicts of Interest Policy and Procedures. The remaining three (3) required further discussion. After review, it was found that one individual failed to complete the affirmation on page 8, one individual failed to provide an original signature for the affirmation on page 8, and one individual failed to complete the Nepotism Policy Section of the disclosure form. The Associate Attorney on behalf of the Panel was directed to send a follow-up email or communicate in person with the affected employees with respect to their errors and/or omissions.

Motion by Mr. Freeman, seconded by Ms. Penberthy, to approve twenty-seven financial disclosure statements and follow-up with three other filers. The remaining three filers are approved upon submission of their supplemental disclosures.

Motion carried 3-0.

Round #6: Seven (7) Retirees and/or former employees who no longer work for the Authority, but who had worked for the Authority during the applicable reporting period, were sent financial disclosure forms to complete. Four of the seven completed the forms and were approved by the Panel, one was set aside to discuss with General Counsel certain omissions found on the form, and the remaining two failed to file. The Panel determined that in an exercise of due diligence the financial disclosure packet should be sent again to the two retirees who had not submitted their disclosures.

Motion by Mr. Freeman, seconded by Ms. Penberthy, to approve four financial disclosure statements.

Motion carried 3-0.

The Panel further had a discussion regarding the ability to obtain financial disclosure statements from employees once they leave the Authority and what sanctions are available for failure to comply. The Code of Ethics was reviewed, and it was determined that no sanctions exist for retirees failing to complete a financial disclosure statement.

***Post -meeting:***

Round #4- The five (5) attorneys (1 Panel member and 4 staff attorneys) in Round 4 were provided with a “cautionary letter” advising them of their ethical responsibilities and standard of conduct set forth in Authority’s Code of Ethics and Conflicts of Interest Policy and Public Officer’s Law.

Round #5- The individuals in Round 5 who submitted incomplete statements were informed in person of their omissions and/or errors and submitted supplemental disclosure forms and/or statements correcting their omissions and/or errors.

Round #6- The individuals no longer working for the Authority, and who did not initially respond to the financial disclosure request, were sent an additional packet for their completion as an exercise of due diligence on behalf of the Panel to obtain their disclosures. Additionally, advice was sought from the Authority’s General Counsel on the remaining individual who did not submit a complete disclosure.

One additional Financial Disclosure Statement was received shortly after the IEP meeting was held. This employee was a present employee of the Authority who was not required to file, however, in June 2023 was moved into a job title which required filing of a financial disclosure statement pursuant to Policy 11. The disclosure was completed by the employee and sent to the IEP Panel via email. The financial disclosure was subsequently reviewed and approved by the IEP Panel.

## **2. Common Errors and Omissions**

There was no pattern of common errors or omissions recognized by the Panel.

## **3. Topics for Further Discussion and Review**

-Potential “catchall” question to be added to the financial disclosure statement conflicts section requesting the reporting person indicate whether they perceive any potential conflict that is not previously reported on the statement.

-Discussion with respect to the requirement to have those no longer working for the Authority file financial disclosures.

-Attorneys private practice-Discussion with respect to confusion in reporting potential conflicts. Should the attorneys be required to report not only for themselves but also if their firm represents municipalities or has any potential conflict?

## **4. Next Meeting**

The Panel tentatively scheduled its next meeting for Tuesday, February 6, 2024, at 9:00 am in the first-floor conference room at the Service Center.

## **V. - ADJOURNMENT**

Motion to adjourn by Mr. Herman and seconded by Mr. Freeman. Motion carried and meeting adjourned at 10:36 a.m.



**ERIE COUNTY WATER AUTHORITY  
HR Policies/Procedures**

**Re: CODE OF ETHICS &  
CONFLICTS OF INTEREST  
POLICY & PROCEDURES**

**Policy No. 11**

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**Application: All Employees**

**Amended: 05/11/2006 01/21/2021  
04/03/2008 03/25/2021  
05/21/2009 10/20/2022<sup>1</sup>  
01/26/2012 09/20/2023  
08/22/2013 02/22/2024  
03/26/2019  
03/24/2020**

**ARTICLE I  
DEFINITIONS**

**Section 1 Definitions.**

- (a) “Ad hoc member” means a committee member who is not a duly appointed Commissioner and who is appointed to serve as a non-voting committee member pursuant to the Authority’s By-laws.
- (b) “Authority” means the Erie County Water Authority.
- (c) “Board” means the Authority’s Board of Commissioners.
- (d) “Chief Operating Officer” means the individual whose position is defined under the job specifications for Executive Director.
- (e) “Code” means this Code of Ethics and Conflicts of Interest Policy.
- (f) “Employee” includes any Authority employee holding either a full-time position or a regular, part-time position.

- (g) “Ethics Committee” means a standing committee of the Board, as described in Article IV, section 4 of the Authority’s By-Laws.
- (h) “First-degree family members” mean parents, stepparents, children, step- children, and siblings, including half- and stepsiblings.
- (i) “General Counsel” means the individual whose position is defined under the job specifications for Attorney.
- (j) “Immediate family” means any first-degree family member related by blood or marriage.
- (k) “Interested Person” means any member, ad hoc member, officer, or employee who has a direct or indirect personal financial interest in any matter pending before the Authority.
- (l) “Independent Ethics Panel” or “IEP” means the entity whose powers are proscribed in Article VI, section 4, sub-section (e) of the Authority’s By- Laws.
- (m) “Members” mean the Authority’s Commissioners, duly appointed pursuant to Public Authorities Law § 1053(1).
- (n) “Officers” mean the Chair, Vice Chair and Treasurer and other officers as may be appointed pursuant to Public Authorities Law § 1053(3), including but not limited to the Secretary to the Authority.
- (o) “Personal financial interest” means a financial interest benefiting a member, ad hoc member, officer, or employee, and/or his/her immediate family.
- (p) “Personal loan” means a loan to the member, ad hoc member, officer, or employee, or member of his/her immediate family.

## **ARTICLE II CODE OF ETHICS**

### **Section 1 Purpose.**

As a public benefit corporation, the Authority must conduct its operations in a manner that best serves the interests of its customers and the public. Its mission is to provide the Authority's customers with a plentiful supply of safe, high quality and affordable drinking water through reliable infrastructure.

The Authority expects its members, ad hoc members, officers, and employees to observe high ethical standards of conduct in the performance of their duties, and in compliance with all laws and regulations governing the Authority's operation. This Code of Ethics shall serve as a guide for official conduct and is intended to enhance the ethical and professional performance of the Authority's members, ad hoc members, officers, and employees and to preserve the public confidence in the Authority's mission.

### **Section 2 Policy.**

Members, ad hoc members, officers, and employees shall perform their duties with transparency and without favor and shall refrain from engaging in outside matters of personal financial interest or of personal interest, including other employment, which could impair their independence of judgment, or prevent the proper exercise of one's official duties.

This Code is in addition to all other laws, restrictions, standards, and provisions applicable to the conduct of the Authority's members, ad hoc members, officers, and employees.

### **Section 3 Standard of Conduct.**

- (a) The Authority's members, ad hoc members, officers, and employees shall:
  - (1) Endeavor to perform the duties of their position to the best of their ability and in a spirit of service to all persons and concerns for which the Authority was created;

- (2) Uphold the high standards of dedicated public service rendered over the years by Authority members, ad hoc members, officers, and employees;
  - (3) Support and encourage fellow employees in the proper execution of their duties;
  - (4) Address any question of conduct or regulation that may occur to either the Authority's General Counsel, or the Chair of the Independent Ethics Panel (IEP).
- (b) Members, ad hoc members, officers, and employees shall conduct themselves at all times in a manner that avoids an appearance that they can be improperly or unduly influenced, that they could be affected by the position of, or relationship with, any other party, or that they are acting in violation of the public trust.
- (c) Members, officers, and employees shall manage all matters within the scope of the Authority's mission independent of any other affiliations or employment. Members, including ad hoc members, officers, and employees shall strive to fulfill their professional responsibility to the Authority without bias and shall support the Authority's mission to the fullest.

#### **Section 4 Prohibited Conduct.**

- (a) The Authority's members, ad hoc members, officers, and employees shall not:
- (1) Directly or indirectly receive any compensation or interest, financial or otherwise, or incur any obligation, which would be a substantial conflict with the proper discharge of their duties with the Authority;
  - (2) Engage in other employment that might impair the independence of their judgment in the execution of their duties with the Authority;

- (3) Disclose confidential information, acquired in the course of official duties, or use such confidential information to further personal financial interests;
  - (4) Directly or indirectly solicit, accept, or receive any gift, whether in the form of a promise, money, services, a loan, lodging, meals, entertainment, or anything of value.
  - (5) Arrange for the extension of credit or renew an extension of credit in the form of a personal loan from the Authority.
- (b) Unless otherwise permitted by the IEP or the Ethics Committee, no immediate family member of a member, ad hoc member, officer, or employee may directly or indirectly solicit, accept, or receive any other items described in § 4(a)(4) of this Article.
- (c) Unless otherwise permitted by the IEP or the Ethics Committee, no member, ad hoc member, officer, employee nor an immediate family member of a member, ad hoc member, officer, or employee may engage in the following actions:
- (1) Speculating or dealing in equipment, supplies, or materials normally purchased by the Authority;
  - (2) Borrowing money from the Authority, suppliers, significant commercial customers, individuals, or firms with whom the Authority does business (loans or mortgages from banks or individuals doing business with the Authority are exempt if the terms are at current rates and the customary collateral for such transactions is provided);
  - (3) Acquiring an interest in real estate in which it is known that the Authority also has a current or anticipated interest;

- (4) Misusing information to which the individual has access by reason of his or her position, including, but not limited to, disclosing confidential information (of a technical, financial, or business nature) to others outside or inside the business (whether or not a consideration is received), or using such information for one's own interest or the interest of an immediate family member;
  - (5) Soliciting funds or other items of value from the Authority's vendors, suppliers, or consultants for self-interest or for the benefit of any other organization, club, or person, whether such other persons or entities are charitable, religious or profit-making;
  - (6) Serving as an officer, director, manager, consultant, volunteer, or an independent contractor with another company or business organization directly or indirectly related to the Authority without specific authorization from the Authority; and
  - (7) Legally representing or exerting influence in favor of a current or potential vendor, including but not limited to, assisting in the drafting of applications, plans or proposals for Authority approval or submitting such applications, plans or proposals to the Authority.
- (d) The prohibited actions and activities set forth in this section do not encompass every situation that may lead to a conflict of interest.

## **ARTICLE III**

### **CONFLICTS OF INTEREST POLICY**

#### **Section 1 Purpose.**

- (a) The purpose of this Conflicts of Interest Policy is to protect the Authority's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a member, ad hoc member, officer, or employee of the Authority. This policy is intended to supplement, but not

replace, any applicable state laws governing conflicts of interest applicable to the Authority.

- (b) A conflict of interest is just one example of a violation of ethical conduct. This policy is intended to complement the Authority's Code of Ethics by providing specific procedures to deal with conflicts of interest. To the extent that a matter falls within the scope of both this policy and the Authority's Code of Ethics, the provisions of this Conflicts of Interest Policy shall govern.

## **Section 2 Prohibition against Conflicts.**

- (a) Section 1068 of the New York Public Authorities Law sets forth the following requirements with respect to conflicts of interest:

It shall be a misdemeanor for any of the members of the authority, or any officer, agent, servant, or employee thereof, employed or appointed by them to be in any way or manner interested directly or indirectly in the furnishing of work, materials, supplies or labor, or in any contract therefor which the authority is empowered by this act to make.

- (b) In the event the Authority discovers a violation of the above provision, the Authority shall investigate and, if warranted, report the offense to the Inspector General of the State of New York.
- (c) This Conflicts of Interest Policy provides additional guidance regarding actual or potential conflicts of interest, including circumstances not within the scope of Public Authorities Law § 1068.

## **Section 3 Personal Financial Interest.**

- (a) A person has a personal financial interest if the person has, directly or indirectly, through business, investment, or family:

- (1) an ownership or investment interest in, or employment with, any entity with which the Authority has a transaction or business arrangement; or
  - (2) a compensation arrangement with any entity or individual with which the Authority has a transaction or arrangement; or
  - (3) a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Authority is negotiating a transaction or arrangement.
- (b) Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.
- (c) A personal financial interest is not necessarily a conflict of interest. No conflict of interest exists where a personal financial interest arises solely from an immediate family member that holds a clerical, ministerial or low-level management position with an existing or potential vendor, lacks the power to influence the relationship between the business and the Authority and did not obtain his or her position as a means to influence a member, ad hoc member, officer, or employee of the Authority.
- (d) A person who has a personal financial interest may have a conflict of interest only if the Board determines that a conflict of interest exists pursuant to the enforcement and hearing procedures set forth in Article V, § 2 of this Code.

#### **Section 4 Duty to Report.**

- (a) A member, ad hoc member, officer, or employee must immediately report to the Authority's General Counsel or to the IEP Chair gifts of any value, whether in the form of a promise or an offer to give money, services, a loan, or to provide lodgings, meals, or entertainment.
- (b) An interested person must disclose the existence of his or her personal financial interest and all material facts surrounding



the Financial Interest to the Authority's General Counsel and to the IEP.

- (c) If the Authority's General Counsel or the IEP have reasonable cause to believe an interested person has failed to disclose an actual or possible conflict of interest, they shall inform the interested person of the basis for such belief and afford him/her an opportunity to explain the alleged failure to disclose.
- (d) After disclosure of the personal financial interest, the General Counsel and the IEP will interview the interested person and conduct whatever investigation is warranted by the disclosure.
- (e) After exercising due diligence, the IEP will report its findings and recommendation to the Ethics Committee. The Ethics Committee will review such findings and recommendations. If the Ethics Committee determines further action should be taken, it will forward the matter to the Board.
- (f) **If you are an attorney in private practice, you must disclose if you or any member of your practice represents any county, city, town or village (ie: municipal corporation), Indian nation or tribe or any entity which conducts business with the Erie County Water Authority.**

## **Section 5 Standard of Review.**

- (a) After exercising due diligence, if the Ethics Committee determines the Authority can obtain an equal or more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest, then it will forward the matter to the Board with its recommendation.
- (b) If the Ethics Committee determines an equal or more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, then it will forward the matter for the Board to determine whether the transaction or arrangement should proceed or be terminated. A Board ruling to proceed shall include a determination that the transaction or arrangement is

in the Authority's best interest, is done for its own benefit and is fair and reasonable to the Authority.

## **ARTICLE IV EMPLOYMENT RESTRICTIONS**

### **Section 1 One-Year Moratorium.**

- (a) No person who has served as a member, officer or employee of the Authority shall within a period of one year after the termination of such service or employment appear or practice before the Authority or receive compensation for any services rendered by the member, officer or employee through or on behalf of any person, firm, corporation or association in relation to any case or transaction with respect to which such person was directly concerned, or participated in, during the period of his or her service with the Authority.
- (b) Notwithstanding the foregoing, the one-year moratorium shall not apply to (i) normal business issues arising because of the person's status as a water customer of the Authority and (ii) professional services provided by such person pursuant to a written agreement with the Authority, to the extent such agreement is otherwise consistent with this Code of Ethics.

### **Section 2 Nepotism Policy.**

- (a) In no event shall an immediate family member of a member be hired during the term of the member.
- (b) An immediate family member of an ad hoc member, officer, or employee may be considered for a permanent position only if all the following conditions are met:
  - (1) The ad hoc member, officer, or employee had no role in approving or appointing the immediate family member, pursuant to H.R. Policy No. 92 (Employment Policy and Procedures); and

- (2) The immediate family member is an appointment from a Civil Service List; or
  - (3) There will be no supervisory relationship between the immediate family member and the related ad hoc member, officer, or employee, and the immediate family member and the related member, ad hoc member, officer, or employee will not work in the same department.
- (c) If current members, ad hoc members, officers, or employees marry, it may be necessary for the Authority to reassign one or both individuals, particularly in the case of close working, or direct supervisory relationships.
  - (d) An immediate family member may be considered for summer or temporary employment only if all the following conditions are met:
    - (1) There will be no supervisory relationship between the immediate family member and the related ad hoc member, officer, or employee; and
    - (2) The immediate family member and the related ad hoc member, officer, or employee will not work in the same department.
  - (e) In no event shall a related ad hoc member, officer, or employee participate in any decision to hire, promote, discipline, or discharge an immediate family member.
  - (f) The effective date of this section is March 26, 2019. Immediate family members whose date of hire is before May 1, 2018, may continue in their current position or may be promoted despite the provisions set forth in this section.

## **ARTICLE V IMPLEMENTATION & ENFORCEMENT**

## **Section 1 Distribution.**

The Code shall be reviewed annually by the Board and posted on the Authority's website. All members, ad hoc members, officers, and employees shall be given a copy of this Code upon appointment or commencement of employment and thereafter annually.

## **Section 2 IEP & Ethics Committee.**

- (a) The Board designates the ad hoc members of the IEP as its Ethics Officers, who shall report to the Ethics Committee and Board.
- (b) The Ethics Committee shall prepare, review, update, and approve financial disclosure statements to be filed by members, ad hoc members, officers, and designated employees with the IEP.
- (c) The IEP shall have the following duties:
  - (1) Interpret and make recommendations regarding any questions or purported violations of this Code and any statutory ethical standards affecting members, ad hoc members, officers, employees or their immediate family;
  - (2) Counsel in confidence all members, ad hoc members, officers, employees, and their immediate family, who seek advice about ethical behavior;
  - (3) Receive and investigate complaints about possible conflicts of interest and ethics violations;
  - (4) Recommend the dismissal of any complaint found to be without substance;
  - (5) Prepare an investigation report of its findings and recommendations for the Ethics Committee to consider and to recommend such further action be taken by the Board;
  - (6) Record the receipts of gifts or gratuities of any kind,

received by any member, ad hoc member, officer, employee, or immediate family member, who shall notify the IEP within 48 hours of receipt of such gifts and gratuities.

- (d) Any reports or recommendations made by the IEP must list those ad hoc members who concur or dissent with the report or recommendation.
- (e) Members, ad hoc members, officers, and employees are required to report possible unethical behavior by a member, ad hoc member, officer, or employee to the IEP and the Authority's General Counsel. Such a complaint may be filed anonymously and protects the reporting member, ad hoc member, officer, or employee from retaliation. Any form of retaliation is prohibited under this Code and constitutes an ethical violation of this Code.
- (f) At its discretion, the Ethics Committee may recommend to the Board appropriate disciplinary action, which may include, but is not limited to, a reprimand, suspension, or termination. No disciplinary action may be taken without affording the person due process to be heard and to respond to the complaint of unethical behavior. This hearing may also be subject to the applicable provisions, if any, of Civil Service Law § 75 or any applicable provisions of a collective bargaining agreement.

### **Section 3 Records of Proceedings.**

The IEP shall keep records of all proceedings, including:

- (a) Names of the persons who disclosed or otherwise were found to have a personal financial interest in connection with an actual or possible conflict of interest, the nature of the personal financial interest, any action taken to determine whether a conflict of interest was present, and the Board's ruling, if any, as to whether a conflict of interest in fact existed.
- (b) Names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed

transaction or arrangement, and a record of any votes taken, or written rulings made in connection with the matter.

## **ARTICLE VI**

### **FINANCIAL DISCLOSURE STATEMENTS**

#### **Section 1 Erie County Board of Ethics.**

- (a) Pursuant to Public Authorities Law § 2825 (3) and Article 18 of the General Municipal Law, members, officers, and designated employees must file an annual financial disclosure statement with the Erie County Board of Ethics on or before the fifteenth day of May with respect to the preceding calendar year.
- (b) A member, officer, or designated employee who has timely filed an application for automatic six-month extension with the Internal Revenue Service (“IRS”) may file a supplemental statement of financial disclosure seven days after the expiration of the six-month automatic extension with the IRS. This six-month extension does not extend the May 15<sup>th</sup> deadline but does allow an individual to file a supplemental financial statement, correcting any representations made in the initial financial statement.
- (c) The following members, officers, and employees are required to file annual disclosure statements with the Erie County Board of Ethics: Commissioners, the Secretary of the Authority, the Chief Operating Officer, the Chief Financial Officer, the General Counsel, and Executive Engineer.
- (d) The following members, officers, and employees are required to file an Employee Disclosure Form with the Erie County Board of Ethics within ten (10) days of appointment: Commissioners, the Secretary of the Authority, the Chief Operating Officer, the Chief Financial Officer, the General Counsel, and Executive Engineer.

#### **Section 2 In-House Financial Disclosure Statements.**

- (a) The members, ad hoc members, officers, and designated

employees are required to file an in-house financial disclosure statement with the Authority's IEP within ten (10) days of appointment or commencement of employment and thereafter annually.

(b) In-house financial disclosure statements shall be filed by all members, all employees holding an "exempt" job title, and other employees holding certain job titles:

(1) Exempt Job Titles

- i. Associate Attorney;
- ii. Associate Attorney RPT;
- iii. Chief Financial Officer;
- iv. Chief Operating Officer;
- v. Comptroller;
- vi. Comptroller (Part time);
- vii. General Counsel;
- viii. Executive Engineer;
- ix. Secretary to the Authority;
- x. Senior Associate Attorney

(2) Designated Job Titles

- i. Administrative Assistant;
- ii. Assistant Business Office Manager;
- iii. Assistant Manager of Accounting Services;
- iv. Automotive Mechanic Crew Chief;
- v. Business Office Manager;
- vi. Cash Manager;
- vii. Chemist and Chief Water Treatment Plant Operator;
- viii. Chief Business Officer Manager Budget Director;
- ix. Chief Customer Service Representative;
- x. Chief Instrument and Control System Specialist;
- xi. Claims Representative Risk Manager;
- xii. Construction Inspector;
- xiii. Coordinator of Employee Relations;
- xiv. Deputy Administrative Director;
- xv. Deputy Associate Attorney;
- xvi. Deputy Director/Chief Financial Officer;
- xvii. Director of Administration;
- xviii. Director of Cybersecurity and Information Technology;
- xix. Director of Employee Relations;
- xx. Director of Equal Employment Opportunity (ECWA);

- xxi. Director of Human Resources;
- xxii. Director of Purchasing & Inventory Management;
- xxiii. Director of Operations;
- xxiv. Director of Water Quality;
- xxv. Distribution Engineer;
- xxvi. Electrical Engineer;
- xxvii. Employee Benefits Specialist;
- xxviii. Manager of Accounting Services;
- xxix. Municipal Liaison ECWA (Part time);
- xxx. Production Engineer;
- xxxi. Production Technician;
- xxxii. Security Officer (ECWA);
- xxxiii. Senior Distribution Engineer;
- xxxiv. Senior Micro Technical Support Specialist (ECWA);
- xxxv. Senior Production Engineer;
- xxxvi. Senior Stores Clerk;
- xxxvii. Any Authority personnel overseeing a bid opening; and
- xxxviii. Any other position designated by Board resolution.

- (c) The General Counsel or the Independent Ethics Panel may direct any other employee who procures goods and services on the Authority's behalf to file a financial disclosure statement.
- (d) All members, ad hoc members, officers, and designated employees have the ongoing obligation to immediately report any conflict of interest that may arise for them or for any of their immediate family members.
- (e) Members, ad hoc members, officers, and designated employees must annually file an in-house financial disclosure statement with the IEP on or before the fifteenth day of May with respect to the preceding calendar year. In-house financial disclosure statements shall be placed in a sealed envelope and addressed to the Independent Ethics Panel, c/o Legal Department, 295 Main Street, Room 350, Buffalo, New York 14203.
- (f) The Authority shall retain all in-house financial disclosure statements for a period of seven years from the required filing date.



Good Morning:

As part of the Erie County Water Authority's Code of Ethics Policy, you are required to file an in-house financial disclosure statement with the Authority's Independent Ethics Panel within ten days of appointment or commencement of employment and thereafter annually. **This includes retirees and/or any person that was employed at the Authority in any part of the year 2023.** We will mail a complete packet to your home, this is the digital version of documents and instructions. In that regard, please find the following:

1. Policy No. 11 - Code of Ethics & Conflict of Interest Policy.
2. Policy No. 16 - Whistleblower Protection Policy
3. 2023 ECWA Financial Disclosure Statement, with a PDF fillable form available online for you to complete, print and sign. Electronic Signatures are NOT acceptable.
4. 2023 ECWA Vendor List

PLEASE NOTE: If you have any questions regarding Policy No. 11 you may email the Independent Ethics Panel ([IEP@ecwa.org](mailto:IEP@ecwa.org)) or you may contact General Counsel, Mark S. Carney, by leaving a message at extension 8460 or by email at [mcarney@ecwa.org](mailto:mcarney@ecwa.org). If you leave a voice message, please give your name, phone number and the best time to return your call.

**You are required to return your completed  
2023 ECWA Financial Disclosure Statement no later than May 15, 2024.**

Enclosed please find a return envelope in which you are to place and seal your **completed, signed financial disclosure statement**. It is very important **your name is written or typed in the top box for each page**. Please return the financial disclosure statement in the sealed envelope and return it to work, or mail and postmark it no later than May 15, 2024 to the **Independent Ethics Panel, c/o Legal Department, 295 Main Street, Room 350, Buffalo, New York 14203**. **All Financial disclosure forms must be date stamped**, so if you plan to drop off your Financial Disclosure Statement to the Service Center or Ellicott Square office, please hand deliver the statements directly to the Reception/Switchboard Operator on duty, so they can be processed correctly.



## Erie County Water Authority

295 Main Street • Room 350 • Buffalo, NY 14203-2494  
716-849-8484 • Fax 716-849-8463

### Independent Ethics Panel

Raymond Herman, Ad Hoc Member

Robert Freeman, Ad Hoc Member

BrittanyLee Penberthy, Ad Hoc Member

TO: Applicable ECWA Members, Officers, and Employees

FROM: Independent Ethics Panel

DATED: April 1, 2024

RE: 2023 ECWA Financial Disclosure Statement

As part of the Erie County Water Authority's Code of Ethics Policy, you are required to file an in-house financial disclosure statement with the Authority's Independent Ethics Panel within ten days of appointment or commencement of employment and thereafter annually. **This includes retirees and/or any person that was employed at the Authority in any part of the year 2023.** In that regard, enclosed please find the following:

1. Policy No. 11 - Code of Ethics & Conflict of Interest Policy.
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# DRAFT

## Erie County Water Authority

295 Main Street • Room 350 • Buffalo, NY 14203-2494  
716-849-8484 • Fax 716-849-8463

### Independent Ethics Panel (IEP)

## FINANCIAL DISCLOSURE STATEMENT For Calendar Year 2023

Name:

First

Middle

Last

Position:

Business Email:

Business Phone No:

Home Address:

Street

City

Zip

### ACKNOWLEDGEMENTS

Please acknowledge the following statements by checking the appropriate boxes.

I hereby acknowledge receiving & reading a copy of Policy No. 11, entitled "Code of Ethics & Conflicts of Interest Policy" and Policy No. 16. "Whistleblower Protection Policy".

PLEASE NOTE: If you have any questions regarding Policy No. 11 you may email the Independent Ethics Panel ([IEP@ecwa.org](mailto:IEP@ecwa.org)) or you may contact General Counsel, Mark S. Carney, at extension 8460 or by email at [mcarney@ecwa.org](mailto:mcarney@ecwa.org).

I hereby acknowledge that I have complied with the provisions of Policy No. 11.

**If you have not checked each box in this section, please give an explanation on page 6.**

### STANDARD OF CONDUCT

(ARTICLE II, § 3)

Please affirm the following statements by checking the appropriate boxes.

I affirm that I have endeavored and will endeavor to perform the duties of my position to the best of my ability and in a spirit of service to all persons and concerns for which the Erie County Water Authority ("ECWA") was created.

DRAFT

I affirm that I have upheld and will uphold the high standards of dedicated public service rendered over the years by ECWA members, officers and employees.

I affirm that I have supported and encouraged, and will support and encourage, my fellow employees in the proper execution of their duties.

I affirm that I will seek the advice of the Authority's General Counsel, or the members of the Independent Ethics Panel ("IEP") when I have a question of conduct or about the policy.

I affirm that I have not engaged in, and will not engage in, any conduct, at any time, which suggests or demonstrates I could be improperly or unduly, influenced to violate my public duty or the public trust.

I affirm and acknowledge my duty to immediately report to the Authority's General Counsel or to the IEP Chair gifts of any value, whether in the form of a promise or an offer to give money, services, a loan, or to provide lodgings, meals or entertainment.

I affirm that I have supported and will support the ECWA mission to the fullest, that I manage all matters within the scope of that mission independent of any other affiliations or employment, and that I strive to fulfill my professional responsibility to ECWA.

**If you have not checked each box in this section, please give an explanation on page 7.**

**PROHIBITED CONDUCT**

**(ARTICLE II, § 4)**

**Please affirm the following statements by checking appropriate boxes.**

PLEASE NOTE: You must review the Vendor List provided to you with this Financial Disclosure Statement before you complete the remaining sections of this form.

I affirm that I have **not**:

Directly or indirectly received any compensation or interest, financial or otherwise, or incurred any obligation, which would be a substantial conflict with the proper discharge of my duties.

Engaged in other employment that might impair the independence of my judgment in the execution of my ECWA duties.

Disclosed confidential information, acquired in the course of my official duties or used such confidential information to further a personal financial interest.

DRAFT

PLEASE NOTE: Personal financial interest means a financial interest benefiting you or an immediate family member. An immediate family member means any first-degree family member related by blood or marriage. First-degree family members mean parents, step-parents, children, step-children, and siblings, including half- and step-siblings

Directly or indirectly solicited, or accepted or received any gift, whether in the form of a promise, money, services, a loan, lodging, meals, entertainment, or anything of value.

Arranged for the extension of credit or renewed an extension of credit in the form of a personal loan from the Authority.

Unless otherwise permitted by the Independent Ethics Panel or Ethics Committee, I affirm to the best of my knowledge:

No immediate family member has directly or indirectly solicited, accepted, or received any gift, whether in the form of a promise, money, services, a loan, lodging, meals, entertainment, or anything of value.

Neither I nor any member of my immediate family has engaged in speculating or dealing in equipment, supplies or materials normally purchased by ECWA.

Neither I nor any member of my immediate family has borrowed money from ECWA, or any suppliers, significant commercial customers, individuals or firms with whom ECWA does business.

PLEASE NOTE: Loans or mortgages from banks or individuals doing business with the Authority are exempt if the terms are at current rates and the customary collateral for such transactions is provided.

Neither I nor any member of my immediate family has acquired an interest in real estate in which it is known that ECWA also has a current or anticipated interest.

Neither I nor any member of my immediate family has misused information to which I have had access by reason of my position – such as by disclosing confidential information of a technical, financial or business nature to others outside or inside ECWA regardless of whether such information was disclosed for my own interest or the interest of an immediate family member.

Neither I nor any member of my immediate family has solicited funds or other items of value from ECWA vendors, suppliers or consultants.

Neither I nor any member of my immediate family has served as an officer, director or manager with another company or business organization directly or indirectly doing business with ECWA without specific authorization from ECWA.

# DRAFT

- Neither I nor any member of my immediate family legally represents, or exerts influence in favor of, a current or potential ECWA vendor including, but not limited to, assisting in the drafting of applications, plans or proposals for ECWA approval or submitting such applications, plans or proposals to ECWA.

**If you have not checked each box in this section, please give an explanation on page 7.**

**CONFLICTS OF INTEREST  
(ARTICLE III § 3)**

PLEASE NOTE:

- The questions in this CONFLICT OF INTEREST section do not relate to a domestic or commercial ECWA water customer.
- Answer each question to the best of your knowledge after making a diligent inquiry of immediate family members.
- Any unanswered questions, will be treated as if you answered “Yes.”

**Please check “Yes” or “No” to the following questions**

**YES    NO**

Do you or an immediate family member, have any ownership or investment interest in an entity with which ECWA does business or has entered into a transaction and/or business arrangement?

Are you or an immediate family member an officer, director, manager, consultant, volunteer, or an independent contractor of any entity or individual having business dealings with ECWA or having engaged in a transaction and/or business arrangement with ECWA?

Do you or an immediate family member hold any position with an entity or individual, doing business with ECWA or otherwise engaged in a transaction and/or business arrangement with ECWA?

Have you or an immediate family member accepted compensation from an entity with which, or individual with whom, ECWA has done any business or has engaged in a transaction and/or business arrangement?

Do you or an immediate family member, through business or investment, have a potential ownership or investment interest with an entity or individual, negotiating a transaction and/or business arrangement with ECWA?

# DRAFT

**YES    NO**

Do you or an immediate family member, through business or investment, have pending compensation arrangement with an entity or individual, negotiating a transaction and/or business arrangement with ECWA?

**PLEASE NOTE:**

- Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.
- A personal financial interest is not necessarily a conflict of interest. No conflict of interest exists where a personal financial interest arises solely from an immediate family member that holds a clerical, ministerial or low-level management position with an existing or potential vendor, lacks the power to influence the relationship between the business and the Authority and did not obtain his or her position as a means to influence a member, ad hoc member, officer, or employee of the Authority.
- A person who has a personal financial interest may have a conflict of interest only if the Board determines that a conflict of interest exists pursuant to the enforcement and hearing procedures set forth in Article V, § 2 of Policy No. 11.

**If you have answered “Yes” or failed to answer any question in this section, please give an explanation on page 7.**

**IF YOU ARE AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF NEW YORK, PLEASE ANSWER THE FOLLOWING QUESTIONS:**

**YES    NO**

If you have a private practice, do you or any member of your firm, represent any county, city, town or village (i.e. municipal corporation), any Indian nation or tribe or any entity which conducts business with the Erie County Water Authority? If yes, please list which municipal corporation(s) and/or Indian nation(s) or tribe(s) you represent:

# DRAFT

## NEPOTISM POLICY (ARTICLE IV § 2)

Please check “Yes” or “No” to the following questions

**YES    NO**

Have any of your immediate family members worked for ECWA during the 2023 calendar year?

If you answered “Yes,” please answer the following:

**YES    NO**

Did you have any role in approving or appointing an immediate family member to a position with ECWA?

Was the immediate family member appointed from a Civil Service list?

Do you directly supervise an immediate family member?

Is an immediate family member supervised by someone over whom you have direct or indirect supervision?

Does an immediate family member work in the same department as you?

Please list the names of any immediate family member who works or worked for ECWA in calendar year 2023.

### **ADDITIONAL INFORMATION**

If necessary, you may attach additional pages

***Acknowledgement Section:***



# DRAFT

***Additional Ethical Concerns – Any other ethical issues/concerns not requested herein:***

***Standard of Conduct Section:***

***Prohibited Conduct Section:***

***Conflicts of Interest Section:***

**ERIE COUNTY BOARD OF ETHICS  
(ARTICLE VI§ 1)**

**If you are a Commissioner, the Secretary of the Authority, the Chief Operating Officer, the Chief Financial Officer, General Counsel or Executive Engineer, please answer the following question.**

**Please check “Yes” or “No” to the following questions**

**YES    NO**

Have you filed with the Erie County Board of Ethics the Annual Statement of Financial Disclosure for the County of Erie for Calendar Year 2023?

Please indicate the date you filed:

# DRAFT

**Return this Financial Disclosure Statement by May 15, 2024.**

I affirm, under penalty of perjury, all information in this financial disclosure statement is true to the best of my knowledge.

Date

\_\_\_\_\_  
Signature

### Acknowledgment

I, \_\_\_\_\_, received the letter, dated April 1, 2024 from the Independent Ethics Panel (IEP), along with a copy of the 2023 ECWA Financial Disclosure Statement, Policy No. 16 (Whistle-blower Protection Policy, and Policy No. 11 (Code of Ethics & Conflicts of Interest Policy).

I affirm, under penalty of perjury, that I have reviewed and read the materials provided to me with this Acknowledgment.

**Employee Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**For your convenience, this Financial Disclosure Statement may be filled out electronically but requires an original signature for submission. Please submit your statement in a sealed envelope to the Independent Ethics Panel, c/o Legal Department, 295 Main Street, Room 350, Buffalo, New York 14203. Your name must be placed on the outside of the sealed envelope. All envelopes will be time-stamped when received. Envelopes will be open by members of the Independent Ethics Panel.**

**For IEP Use Only**

Reviewed by: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_ Needs Follow-Up: \_\_\_\_\_ Date Approved by IEP: \_\_\_\_\_

## 2023 ECWA Vendor List (over \$500.00)

V5386 4TH GENERATION CONSTRUCTION INC  
V7867 716 SITE CONTRACTING, INC.  
V4416 9TO5 SEATING, LLC.  
V4470 A M EXCLUSIVE BUSINESS MACHINES, INC.  
V0095 ABC LOCKSMITH SERVICE, INC.  
V3291 ABSOLUTE STANDARDS INC  
V2445 ACE HARDWARE  
V3380 ACR OF WNY  
V3216 ADMAR SUPPLY CO INC  
V8736 ADVANCE AUTO PARTS PROFESSIONAL  
V4330 ADVANCED ANALYTICAL SOLUTIONS, LLC.  
V8737 AIRGAS USA, LLC  
V4481 ALEXANDER CHEMICAL CORPORATION  
V0231 ALLPRO PARKING, LLC  
V3287 ALLSTATE INSURANCE COMPANY  
V4232 ALRO STEEL CORPORATION  
V3398 AMAZON.COM  
V4325 AMERICAN CONTRACTING & ENVIRONMENTAL  
V4424 AMERICAN KIDNEY FUND, INC.  
V3143 AMERICAN LUBRICANTS INC  
V3219 AMERICAN ROCK SALT COMPANY LLC.  
V0022 AMERICAN WATER WORKS ASSOCIATION  
V3277 AMSTAR OF WESTERN NEW YORK, INC.  
V1681 ANDERSON EQUIPMENT COMPANY  
V4382 ANTHRATECH, US INC.  
V0182 APPLIED INDUSTRIAL TECHNOLOGIES, INC.  
V3332 APPLIED SPECIALTIES INC  
V3407 ARCADIS U.S., INC.  
V3172 ASHLAND PEST CONTROL, INC.  
V4247 ASPIRE TECHNOLOGY PARTNERS, LLC.  
V3256 ATLAS PAINTING & SHEETING CORP  
V4375 ATOMIC LED INC.  
V3238 AUTOMATECH INC - GE FANUC  
V4425 AYYEKA, INC.  
V3409 AZTECA SYSTEMS, INC.  
V3443 AZUGA, INC.  
V3971 B&H PHOTO-VIDEO  
V3851 BACH'S TOWING  
V3976 BAIN ENTERPRISES LLC  
V0221 BARBERS CHEMICALS, INC.  
V3959 BARCLAY DAMON, LLP  
V3790 BARTON & LONGUIDICE  
V0289 BASIL FORD INC (QUICK LANE TIRE & AUTO)

V0111 BEE PUBLICATIONS, INC  
V0115 BIEL'S INFORMATION TECHNOLOGY SYSTEMS  
V3657 BISON LABORATORIES, INC..  
V3699 BLACKBURN MANUFACTURING CO  
V0155 BLAIR SUPPLY CORPORATION  
V4237 BROWN AND CALDWELL  
V0129 BUFFALO BEARINGS INC (TONAWANDA TOOL)  
V0220 BUFFALO BUSINESS FIRST  
V3823 BUFFALO EMERGENCY ASSOCIATES LLC  
V0183 BUFFALO MATERIALS HANDLING CORPORATION  
V0313 BUFFALO WATER  
V3965 BXI CONSULTANTS  
V8612 C. R. M. CONTRACTING, INC.  
V8432 CALERO SOFTWARE, LLC  
V8906 CAMBRIDGE ISOTOPE LABORATORIES INC  
V2534 CAMPIONE SAFETY  
V0467 CARAHSOFT TECHNOLOGY CORPORATION  
V0446 CARDMEMBER SERVICE  
V2819 CASULLOS AUTOMOTIVE  
V2593 CATCO  
V2532 CDW GOVERNMENT  
V2821 CHA CONSULTING, INC.  
V0494 CHILD & FAMILY SERVICES  
V2604 CINTAS CORPORATION  
V6479 CITY OF LACKAWANNA  
V8498 CITY OF TONAWANDA  
V8814 CLEARVIEW MAINTENANCE CORP.  
V8030 COMPTROLLER STATE OF NEW YORK  
V4349 COMPULINK TECHNOLOGIES INC.  
V7962 CORE & MAIN LP  
V0331 CORPORATE SCREENING & INVESTIGATIVE GRP  
V0347 COUNTY LINE STONE CO., INC.  
V8619 CROSS CONNECTION CONTROL FOUNDATION, INC  
V9707 CS BUSINESS SYSTEMS, INC  
V8631 CSEA EMPLOYEE BENEFIT FUND  
V0427 CSX TRANSPORTATION  
V4188 CUMMINS-WAGNER HOLDINGS, INC.  
V4303 CURTIS POWER SOLUTIONS, LLC.  
V0528 DELACY FORD INC  
V4799 DELL MARKETING L.P.  
V4731 DELTA SONIC CAR WASH SYSTEMS, INC.  
V4811 DIDONATO ASSOCIATES PE PC  
V4376 DIGITAL SURVEILLANCE SOLUTIONS, INC.

V4460 DISTRIBUTED TECHNOLOGY GROUP, LLC.  
V0520 DIVAL SAFETY EQUIPMENT INC.  
V4456 DJM CONTRACTING, INC.  
V4821 DLT SOLUTIONS, LLC  
V4452 DN TANKS, LLC.  
V0508 DOBMEIER JANITOR SUPPLY INC  
V4628 DOUBLE EAGLE EMBROIDERY  
V4844 DRESCHER & MALECKI, LLP  
V0700 E & R GENERAL CONSTRUCTION, INC.  
V2134 E.H.WACHS COMPANY  
V2405 E3 COMMUNICATIONS, INC.  
V5187 EATON CORPORATION  
V0601 EATON OFFICE SUPPLY CO., INC.  
V5159 EDS TIRE SERVICE INC  
V2261 ELLEN ZIEGLER  
V1903 ELLICOTT GROUP, LLC.  
V4442 EMMONS METRO, LLC.  
V4419 ENVIRO SAFETY PRODUCTS  
V2412 ENVIRONMENTAL PROTECTION AGENCY  
V5102 ENVIRONMENTAL SYSTEMS RESEARCH INST INC  
V4236 ENZO LIFE SCIENCES, INC.  
V4248 EPLUS TECHNOLOGY INC  
V0615 ERB CO., INC.  
V5158 ERDMAN ANTHONY AND ASSOCIATES, INC.  
V5198 ERIE COUNTY DEPT OF PUBLIC WORKS  
V5185 ERIE COUNTY DEPT OF PUBLIC WORKS  
V5107 ERIE COUNTY PUBLIC HEALTH LABORATORY  
V2474 ESC ENVIRONMENTAL  
V4121 EVERETT J PRESCOTT, INC.  
V0671 E-Z PASS NEW YORK  
V8310 F.W. WEBB CO. -WATERWORKS  
V0786 FASTENAL COMPANY  
V8012 FCX PERFORMANCE  
V0740 FEDEX  
V5279 FERGUSON ELECTRIC, INC.  
V4222 FERGUSON WATERWORKS  
V5350 FERRELLGAS LP  
V3063 FERRY INC  
V5233 FIELD SERVICE, INC  
V5387 FIRSTLIGHT  
V0708 FISHER SCIENTIFIC COMPANY  
V2015 FLEETPRIDE (UNIVERSAL JOINT SALES CO INC)  
V0721 FLUID KINETICS INC

V5228 FM COMMUNICATIONS INC.  
V5369 FM OFFICE EXPRESS, INC (INTIVITY)  
V3054 FORTRA, LLC.  
V0723 FREDERICK MACHINE REPAIR INC  
V5376 FREY HEAVY DUTY  
V5588 GEITER DONE OF WNY, INC.  
V0853 GENERAL WELDING & FABRICATING, INC.  
V5702 GENESEE VALLEY FORD, LLC.  
V0856 GENUINE PARTS COMPANY  
V5421 GERNATT ASPHALT PRODUCTS INC  
V5577 GHD CONSULTING ENGINEERS, LLC.  
V4368 GLASS AMERICA LLC  
V5697 GLOBAL SIGNAL ACQUISITIONS LLC  
V0838 GOODYEAR SERVICE STORES  
V5462 GOVERNMENT FINANCE OFFICERS ASSOCIATION  
V6066 GP JAGER, INC.  
V0815 GRAINGER  
V0819 GRAYBAR ELECTRIC COMPANY, INC.  
V5565 GREATER NIAGARA MECHANICAL INC  
V5536 GREENMAN - PEDERSON, INC.  
V0817 GROVE ROOFING SERVICES, INC.  
V5562 GZA GEOENVIRONMENTAL OF NEW YORK  
V4363 H.R. DILS SALES & SERVICE INC.  
V0934 HACH COMPANY  
V4409 HAMBURG FLOOR COVERING, INC.  
V7928 HAMBURG OVERHEAD DOOR, INC.  
V7042 HANES SUPPLY, INC.  
V7945 HARRINGTON INDUSTRIAL PLASTICS, LLC  
V0990 HARRIS BEACH PLLC  
V0989 HAZEN AND SAWYER  
V7981 HD SUPPLY FACILITIES MAINTENANCE,ltd.  
V7045 HEALTHWORKS-WNY, LLP  
V7135 HERC RENTALS, INC.  
V0953 HILTI INC  
V4277 HJS SUPPLY CO.  
V7136 HODGSON RUSS ATTORNEYS LLP  
V7067 HOHL INDUSTRIAL SERVICES INC  
V0447 HUNT ENGINEERS, ARCHITECTS & SURVEYORS  
V4392 HYDRATECH FIELD SERVICES, LLC.  
V0977 HYDROVERGE  
V1014 IBM CORPORATION  
V5822 IDEXX DISTRIBUTION INC.  
V5938 INGENIOUS, INC.

V4364 INNOMOTICS, LLC.  
V4329 INTERSTATE BATTERY OF GREATER BUFFALO  
V4371 INTUITECH, INC.  
V5905 IRON MOUNTAIN INFORMATION MANAGEMENT INC.  
V4469 J. O'CONNELL & ASSOCIATES, INC.  
V4472 JACK W. HUNT & ASSOCIATES, INC.  
V6069 JACKSON WELDING & GAS PRODUCTS  
V0472 JAMES J CONNORS  
V5131 JAMES M ELARDO  
V1056 JAMESTOWN COMMUNITY COLLEGE  
V3666 JANNE L BATTAGLIA  
V7693 JEFFREY R SYLVESTER  
V3905 JIM BARNARD CHEVROLET, INC.  
V4288 JM DAVIDSON ENGINEERING, D.P.C.  
V4278 JOBENA  
V0255 JOE BASIL CHEVROLET, INC.  
V4867 JOHN DEERE COMPANY  
V4931 JOHNSON CONTROLS  
V4482 JOHNSON CONTROLS SECURITY SOLUTIONS, LLC  
V6014 JOHNSON DISTRIBUTING INC  
V1053 JONES CHEMICALS INC  
V1101 K & S CONTRACTORS SUPPLY, INC.  
V6126 KAMINSKI & SONS TRUCK EQUIPMENT  
V1121 KANDEY COMPANY INC  
V6208 KANTOLA PRODUCTIONS, LLC.  
V6002 KAREN BYRNE  
V6209 KEMIRA WATER SOLUTIONS INC  
V6205 KENWORTH NORTHEAST GROUP, INC.  
V6200 KEYBANK NATIONAL ASSOCIATION  
V6174 KIRK KEY INTERLOCK COMPANY  
V6112 KISTNER CONCRETE PRODUCTS INC  
V6191 KJ ELECTRIC  
V6114 KOESTER ASSOCIATES INC.  
V0462 KOOLTRONIC, INC.  
V1158 KRACKELER SCIENTIFIC, INC  
V6162 KRAVITCH MACHINE COMPANY  
V1138 KURK FUEL COMPANY  
V1254 LABELLA ASSOCIATES DPC  
V6449 LABOR-MANAGEMENT HEALTHCARE FUND  
V4494 LANDPRO EQUIPMENT, LLC  
V1221 LAWLEY SERVICE INC  
V6245 LAWSON PRODUCTS, INC.  
V6493 LEDGE CREEK DEVELOPMENT INC

V1326 LINDE GAS & EQUIPMENT, INC. (PRAXAIR)  
V1214 LOCK CITY SUPPLY INC  
V6453 LOWES COMPANIES INC  
V1358 MANUFACTURERS & TRADERS TRUST COMPANY  
V2832 MARK CERRONE INC  
V6990 MASIELLO, MARTUCCI, CALABRESE & ASSOC.  
V6513 MATRIX IMAGING SOLUTIONS, LLC.  
V6804 MCCARTHY TIRE SERVICE, CO.  
V1299 MCKAYS CLOTHING & EMBROIDERY  
V1262 MCMASTER-CARR SUPPLY COMPANY  
V6996 METRO CONTRACTING & ENVIRONMENTAL INC  
V6758 MICHIGAN STATE UNIVERSITY  
V6721 MICRO MOTION INC.  
V4315 MICRO STRATEGIES, INC.  
V6811 MIDWAY INDUSTRIAL SUPPLY  
V4908 MILTON-CAT  
V6752 MKS PLUMBING CORP.  
V6666 MODERN DISPOSAL SERVICES, INC.  
V6505 MOHAWK, LTD.  
V2794 MOLEY MAGNETICS, INC.  
V1388 MONROE TRACTOR & IMPLEMENT CO., INC.  
V1102 MOTION AI  
V6864 MSC INDUSTRIAL SUPPLY CO, INC.  
V5995 MUTUAL OF OMAHA  
V1401 NATIONAL FUEL GAS CORPORATION  
V8506 NATIONAL OVERHEAD DOOR INC  
V1415 NATIONALGRID  
V1403 NEPTUNE TECHNOLOGY GROUP INC  
V4568 NEW ENTERPRISE STONE & LIME CO., INC.  
V4512 NEW FRONTIER EXCAVATING & PAVING, INC  
V1461 NEW YORK SECTION AWWA  
V1410 NEW YORK STATE DEPT OF ENVIRONMENTAL  
V1407 NEW YORK STATE ELECTRIC & GAS CORP  
V4304 NEW YORK STATE FENCE INC  
V8054 NEW YORK STATE THRUWAY AUTHORITY  
V8549 NIAGARA COATINGS SERVICES, INC.  
V8588 NIAGARA SCIENTIFIC PRODUCTS  
V1494 NOCO ENERGY CORP  
V1445 NORTH STAR SUPPLY CO INC  
V4443 NORTHRIDGE PRINTING, INC.  
V1424 NUSSBAUMER & CLARKE, INC.  
V1408 NYS & LOCAL EMPLOYEES RETIREMENT SYSTEM  
V8014 NYS GOVERNMENT FINANCE OFFICERS ASSOC



V8524 NYS INDUSTRIES FOR THE DISABLED, INC.  
V1430 NYS UNEMPLOYMENT INSURANCE  
V5658 O'CONNELL ELECTRIC CO, INC  
V4299 ONSOLVE LLC  
V5684 OPUS INSPECTION  
V1546 ORFFEO PRINTING & IMAGING, INC.  
V4138 P&A ADMINISTRATIVE SERVICES, INC.  
V2417 PACE ANALYTICAL SERVICES INC  
V6981 P-A-M CONSULTING SERVICE, INC.  
V4284 PEAK SCIENTIFIC, INC.  
V4471 PERMA  
V1610 PERTECH  
V4475 PHAROS MARINE AUTOMATIC POWER LOUISIANA  
V4407 PHILADELPHIA INSURANCE COMPANIES  
V1586 PHILIPPS BROS. SUPPLY INC.  
V7154 PHILLIPS LYTLE, LLP  
V7170 PIONEER PUMP SYSTEMS INC  
V1557 PITNEY BOWES, INC.  
V1559 POLLARDWATER  
V1560 POOLEY, INC.  
V1580 POSTMASTER BUFFALO NEW YORK  
V4483 PP SYSTEMS, INC.  
V7189 PRECISION SCALE  
V4265 PREMIER PROCESS SERVICE OF WNY INC  
V4490 PREMIUM PARKING OF BUFFALO, LLC.  
V1593 PRENTICE OFFICE ENVIRONMENTS  
V0169 PVS NOLWOOD CHEMICALS, INC.  
V1649 PYRAMID SCHOOL PRODUCTS  
V8114 R.B. U'REN EQUIPMENT INC.  
V1666 R.M. HEADLEE CO., INC  
V7226 RAFTELIS ENVIRONMENTAL CONSULTING GROUP  
V4234 RAILPROS FIELD SERVICES, INC.  
V7319 RAZ-LEE SECURITY  
V5046 RED WING SHOES  
V7133 REGIONAL INTERNATIONAL OF WNY INC  
V7249 REXEL INC (FORMERLY WEHLE ELECTRIC)  
V8096 RICOH USA, INC.(FORMERLY IKON OFFICE)  
V5055 RITEC  
V7539 RL STONE COMPANY INC  
V7332 RMF PRINT MANAGEMENT GROUP INC  
V1671 ROSS VALVE MANUFACTURING CO INC  
V7320 ROUTE 5 BOOTS & SHOES  
V4491 ROUX ENVIRONMENTAL ENGINEERING & GEOLOGY

V4301 RUSD SOLUTIONS  
V7286 RUSSO DEVELOPMENT INC  
V7854 SAFE DRIVER ACADEMY  
V4998 SAFELITE GLASS CORP  
V4988 SAF-GARD SAFETY SHOE COMPANY  
V4900 SAMPO  
V7289 SCHWEITZER ENGINEERING LABORATORIES, INC  
V0287 SECURITAS TECHNOLOGY CORPORATION  
V7560 SHANOR ELECTRIC SUPPLY COMPANY, INC.  
V4387 SHENEHON & ASSOCIATES, INC.  
V4992 SHI INTERNATIONAL CORP.  
V8188 SHIMADZU SCIENTIFIC INSTRUMENTS INC  
V1858 SIEWERT EQUIPMENT COMPANY, INC.  
V4963 SIMMERS CRANE DESIGN & SERVICES CO.  
V4968 SIRIUS COMPUTER SOLUTIONS INC  
V4328 SITEONE LANDSCAPE SUPPLY  
V7624 SKILLPATH SEMINARS INC  
V7873 SOUTHTOWN SUPPLY INC.  
V1772 STANLEY STEEL SERVICE CORPORATION  
V1768 STAPLES BUSINESS ADVANTAGE  
V1473 STATE OF NEW YORK DEPARTMENT OF HEALTH  
V7833 STC CONSTRUCTION INC  
V3690 STEPHEN BATTAGLIA  
V7880 SUBCARRIER COMMUNICATIONS INC.  
V6566 SUN LIFE FINANCIAL  
V1787 SUNOCO CREDIT CARD CENTER  
V1853 SUPERIOR LUBRICANTS CO. INC.  
V4399 SYSTEMS PERSONNEL, INC.  
V6767 T. MINA SUPPLY, INC.  
V8484 TALLEY, INC.  
V4408 TANK HOLDING CORP.  
V4266 TENACITY, INC,  
V2787 TGO TECHNOLOGIES, INC.  
V0132 THE BUFFALO NEWS  
V8558 THE NOTABLE CORPORATION  
V4101 THE PUMP DOCTOR INC  
V0873 THE REMI GROUP, LLC  
V8168 THE SAFETY & HEALTH TRAINING CENTER INC  
V7889 THE SARATOGA HILTON  
V1795 THE STATE INSURANCE FUND  
V8128 THE UNITED STATES POSTAL SERVICE  
V1983 THERMO ELECTRON NORTH AMERICA LLC.  
V2113 THOMSON REUTERS - WEST

V2714 TIME WARNER CABLE - SPECTRUM BUSINESS  
V8480 TI-SALES, INC.  
V2778 TK ELEVATOR CORPORATION  
V1921 TONAWANDA TOWN CLERK  
V3718 TOSHIBA BUSINESS SOLUTIONS - NY  
V2738 TOSHIBA INTERNATIONAL CORPORATION  
V2641 TOWN OF CHEEKTOWAGA  
V0685 TOWN OF EVANS  
V5630 TOWN OF ORCHARD PARK  
V2777 TRACEY ROAD EQUIPMENT, INC.  
V9095 TRANSWAVE COMMUNICATIONS SYSTEMS INC  
V8490 TRAVELERS INDEMNITY AND AFFILIATES  
V2709 TRIMBLE NAVIGATION LTD  
V0935 TRUCKPRO, LLC.  
V4655 U&S SERVICES INC.  
V4450 UDIG NY INC (FORMERLY DIG SAFELY)  
V6198 UKG KRONOS SYSTEMS, LLC.  
V4285 UNITED AUTO SUPPLY OF SYRACUSE WEST INC.  
V2019 UNITED BUSINESS SYSTEMS  
V0709 UNITED RENTALS NORTH AMERICA, INC.  
V2042 UNITED STATES PLASTIC CORP.  
V3674 UPSTATE EQUIPMENT  
V8104 UPSTATE STEEL INC.  
V4623 US TRAFFIC CONTROL, INC.  
V8131 USA BLUEBOOK  
V4337 USA SEALING INC  
V8410 VALLEY FAB AND EQUIPMENT, INC.  
V8404 VALLEY TIRE CO INC  
V8415 VAN BORTEL FORD, INC.  
V1411 VERIZON  
V3919 VILLAGE OF BLASDELL  
V2054 VILLAGE OF WILLIAMSVILLE WATER DEPT  
V2073 VISION SERVICE PLAN  
V2083 VISONE CONSTRUCTION INC  
V2062 VOLLAND ELECTRIC EQUIPMENT, CORP.  
V8435 VP SUPPLY CO., INC.  
V2050 VWR INTERNATIONAL LLC  
V6507 W.B. MASON CO.,INC.  
V8357 WATERISAC  
V8366 WATTS ARCHITECTURE AND ENGINEERING PC  
V8381 WAYPOINT TECHNOLOGY GROUP  
V2168 WELLINGTON LABORATORIES LLC  
V8336 WENDEL

V2117 WESCO DISTRIBUTION, INC.  
V4654 WEST HERR DODGE  
V7722 WM SCHUTT & ASSOCIATES PC  
V4479 WNY TILE & STONE CORPORATION  
V8368 WOODCUTTERS HEADQUARTERS INC  
V8232 WOOLPERT INC  
V5554 XYLEM, INC  
V4318 Y & S TECHNOLOGIES, INC.  
V0781 YOKOGAWA FLUID IMAGING TECHNOLOGIES INC  
V8703 ZEND TECHNOLOGIES USA, INC.

**ERIE COUNTY WATER AUTHORITY  
HR Policies/Procedures**

|   |                      |
|---|----------------------|
| <b>Re: WHISTLEBLOWER PROTECTION<br/>POLICY &amp; PROCEDURES</b> | <b>Policy No. 16</b> |
|---|----------------------|

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**Application: All Employees**

**Amended: 01/26/2012  
03/24/2020  
10/20/2022<sup>1</sup>  
09/20/2023**

## **PURPOSE**

The Erie County Water Authority requires members, ad hoc members, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Authority, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

As part of our ethical responsibility, any alleged corruption, fraud, criminal or unethical activity, misconduct, waste, conflict of interest, intentional reporting of false or misleading information, or abuse of authority engaged in by an Authority Employee (as defined herein) that relates to the Authority shall be reported to the appropriate individuals as set forth herein.

## **POLICY**

### **Section 1 Reporting Responsibility.**

It is the responsibility of all members, ad hoc members, officers, and employees to comply with Policy No. 11 Code of Ethics & Conflict of Interest Policy and to report violations or suspected violations in accordance with this Whistleblower Protection Policy.

### **Section 2 No Retaliation.**

No member, ad hoc member, officer, or employee who in good faith reports a violation of Policy No. 11 Code of Ethics & Conflict of Interest Policy shall suffer harassment,

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<sup>1</sup> This Whistleblower Protection Policy & Procedures restates and replaces H.R. Policy No. 16.0 (Whistleblower Protection Policy).

retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Protection Policy is intended to encourage and enable employees and others to raise serious concerns within the Authority prior to seeking resolution outside the Authority.

### **Section 3 Reporting Violations.**

All Authority Employees who discover or have knowledge of potential wrongdoing concerning board members, ad hoc members, officers, or employees of this Authority; or a person having business dealings with the Authority; or concerning the Authority itself, shall report such activity in accordance with the following procedures:

- (a) The Authority Employee shall disclose any information concerning wrongdoing either orally or in a written report to his or her supervisor, or to the Authority's General Counsel, the Director of Human Resources, or any member of the Independent Ethics Panel.
- (b) All Authority Employees who discover or have knowledge of wrongdoing shall report such wrongdoing in a prompt and timely manner.
- (c) The identity of the whistleblower and the substance of his or her allegations will be kept confidential to the best extent possible.
- (d) Any report of potential wrongdoing shall be investigated and handled in a timely and reasonable manner, which may include referring such information to the Authorities Budget Office or an appropriate law enforcement agency where applicable.
- (e) Should an Authority Employee believe in good faith that disclosing information within the Authority pursuant to Section 3(a) above would subject him or her to adverse personnel action or be ineffective, the Authority Employee may instead disclose the information to the Authorities Budget Office or an appropriate law enforcement agency, if applicable. The Authorities Budget Office's toll-free number (1-800-560-1770) should be used in such circumstances.

### **Section 4 Compliance Officials.**

The Office of the Secretary and the Independent Ethics Panel with assistance from the Authority's Legal Department are responsible for investigating and resolving all reported complaints and allegations concerning violations of Policy No. 11 Code of Ethics & Conflict of Interest Policy and will report, on a confidential basis, all allegations to the Board of Commissioners (the "Board"). The Board has the authority to provide funds for investigations as required.

## **Section 5 Acting in Good Faith.**

Information concerning potential wrongdoing is disclosed in “good faith” when the individual making the disclosure reasonably believes such information to be true and reasonably believes that it constitutes potential wrongdoing.

## **Section 6 Confidentiality.**

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

## **Section 7 Handling of Reported Violations.**

The Authority’s General Counsel, the Director of Human Resources, a supervisor, or any member of the Independent Ethics Panel to whom notice of the reported violation or suspected violation was given will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

## **Section 8 Employees.**

All board members, and officers and staff employed at the Authority whether full-time, part-time, employed pursuant to contract, employees on probation and temporary employees and former employees shall be considered employees for the purposes of applicability of this policy.