

Albany Port District Commission (“APDC”)

This Code of Ethics shall apply to all officers and employees of the APDC. These policies shall serve as a guide for official conduct and are intended to enhance the ethical and professional performance of the APDC's Commissioners and employees and to preserve public confidence in the APDC's mission.

Responsibility of Commissioners and Employees

1. Commissioners and employees shall perform their duties with transparency, without favor and refrain from engaging in outside matters of financial or personal interest, including other employment, that would impair independence of judgment, or prevent the proper exercise of one's official duties.
2. Commissioners and employees shall not directly or indirectly, make, advise, or assist any person to make any financial investment based upon information available through the Commissioner's or employee's official position.
3. Commissioners and employees shall not accept or receive any gift or gratuities where the circumstances would permit the inference that: (a) the gift is intended to influence the individual in the performance of official business or (b) the gift constitutes a tip, reward, or sign of appreciation for any official act by the individual. This prohibition extends to any form of financial payments, services, loans, travel reimbursement, entertainment, hospitality, thing or promise from any entity doing business with or before the APDC. Commissioners and employees shall not solicit political contributions for themselves or for others with any individual/entity which has a business relationship with, or matter before, the APDC.
4. Commissioners and employees shall not use or attempt to use their official position with the APDC to secure unwarranted privileges for themselves, members of their family or others, including employment with the APDC or contracts for materials or services with the APDC.
5. Commissioners and employees must conduct themselves at all times in a manner that avoids any 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 their public trust.
6. Commissioners and employees may not engage in any official transaction with an outside entity in which they have a direct or indirect financial interest that may reasonably conflict with the proper discharge of their official duties.
7. Commissioners and employees shall manage all matters within the scope of the APDC's mission independent of any other affiliations or employment. Commissioners and employees employed by more than one government shall strive to fulfill their professional responsibility to the APDC without bias and shall support the APDC's mission to the fullest.

8. State supplies, equipment, computers, personnel and other resources may not be utilized for non-governmental purposes. This prohibition includes, but is not limited to, the following:
- a. APDC stationery may not be used for non-governmental purposes and state resources may not be used to mail/deliver personal or other non-governmental correspondence.
 - b. APDC telephones may not be used for non-governmental long-distance calls, except for toll-free calls, collect calls, and calls billed to a personal account/number. Telephones may be used for incidental and necessary personal local calls that are of limited number and duration on a “not-to-interfere” basis with the conduct of state business.
 - c. APDC computers may be used for incidental and necessary personal purposes, such as sending electronic messages, provided that such use is in a limited amount and duration and does not conflict with the conduct of state business.
 - d. APDC vehicles shall be used for state business or incidental use associated with state business as authorized by the APDC Personnel Manual outlining the use of APDC vehicles.
9. Commissioners and employees are prohibited from appearing or practicing before the APDC for two (2) years following employment with the APDC, consistent with the provisions of Public Officers Law.

It is recognized that Commissioners and employees may encounter both apparent and actual conflicts of interest in a matter related to the APDC – in such instances, the Commissioner and/or employee so affected should inform the General Manager or the other Board Members (as appropriate) of the existence of such conflict and recuse himself/herself from any decision-making/decision-influencing role in the matter.

Implementation of Code of Ethics

This Code of Ethics shall be provided to all Commissioners and employees upon commencement of employment or appointment and shall be reviewed annually by the Governance Committee. The board may designate an Ethics Officer, who shall report to the board as directed and shall have the following duties:

- Counsel in confidence APDC Commissioners and employees who seek advice about ethical behavior.
- Receive and investigate complaints about possible ethics violations.
- Dismiss complaints found to be without substance.
- Prepare an investigative report of their findings for action by the Commission.
- Record the receipt of gifts or gratuities of any kind received by a Commissioner or employee.

Penalties

In addition to any penalty contained in any other provision of law, an APDC Commissioner or employee who knowingly and intentionally violates any of the provisions of this code may be removed in the manner provided for in law, rules or regulations.

Reporting Unethical Behavior

Employees and Commissioners are required to report possible unethical behavior by a Commissioner or employee of the APDC to the Ethics Officer. Employees and Commissioners may file ethics complaints anonymously and are protected from retaliation by the policies adopted by the APDC.