

# **NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

## **Policy Number 2 - Conflict of Interest**

**I. Purpose.** The purpose of this policy is to ensure that the Northern Virginia Transportation Authority (NVTA) employees participate in the Authority's business in a manner free from any conflicts of interest or the appearance of a conflict of interest in accord with the Code of Virginia, Chapter 31. State and Local Government Conflict of Interests Act (the ACT).

### **II. General**

- A.** All NVTA staff shall comply with the ACT, this policy and the relevant sections of the NVTA Employee Handbook.
- B.** All NVTA staff will read and familiarize themselves with the ACT and the Employee Handbook.
- C.** Consistent with the intent of the ACT, staff as designated in their position descriptions shall file an annual "Statement of Economic Interests" by January 15<sup>th</sup> of each year with the NVTA Chief Financial Officer (CFO). The "Statement of Economic Interests" will be on the form created by the Virginia Conflict of Interest and Ethics Advisory Council in accordance with Va. Code § 2.2-3117.
- D.** The Chief Executive Officer (CEO) and CFO will also file a Statement of Economic Interest (Statement) by January 15<sup>th</sup> of each year. The Statements will be filed and retained in accord with III. B. iv below.
- E.** Elected and appointed Authority Members will make filings and disclosures as required by law.

### **III. Procedures**

#### **A. Recusal**

- i. In the event that a staff member is conflicted or would have the appearance of conflict with the parameters provided in 2.2-3103, 2.2-3109, 2.2-3112 or any other aspect of the ACT, the staff member shall act in accordance with the ACT, which includes the potential to recuse him/herself from any discussion or deliberation of the relevant item. If such recusal is necessary, the staff member must inform the CFO of the recusal and reason.
- ii. If the CFO needs to make a recusal, he/she will do so through informing the CEO.
- iii. If the CEO needs to make a recusal, he/she shall do so by informing the Authority Chair and CFO.
- iv. A record of any recusals shall be kept by the CFO noting the dates, meetings, and reason for the recusal.
- v. A permanent log of recusals will be maintained by the Authority Board Secretary.

**B. Process**

- i. In December of each year, the CFO shall remind relevant staff of the annual requirement to file a Statement of Economic Interest (Statement) and provide the current Statement form.
- ii. Completed Statements will be submitted to the CFO by January 15<sup>th</sup> of each year.
- iii. The CEO will inform the Authority Chair when he/she and the CFO have completed and filed their Statements and copy of this notice will be attached to the relevant Statements.
- iv. Statements shall be retained and available for inspection for a period of five years from the date of receipt.

**IV. Designated Positions.** Staff members with senior decision-making responsibility for financial transactions or project selection shall be required to file a Statement as specified by the CEO and noted on the individual position descriptions. As a minimum, this will include the CEO and Chief Financial Officer.

**V. Implementation.** The 2020 revisions to this Policy will be effective immediately, with the first reporting cycle starting on January 15, 2021.

**Approved by the Finance Committee:** December 5, 2014

**Approved by Northern Virginia Transportation Authority:** December 11, 2014

**Policy Repeal and Replace Approved by the Finance Committee:** September 17, 2020

**Policy Repeal and Replace Approved by the NVTa:** October 8, 2020