

LOS ANGELES COMMUNITY COLLEGE DISTRICT
ADMINISTRATIVE REGULATION B-36
TOPIC: **Bond Program Code of Conduct**

Beginning in 2001, the BuildLACCD Bond Program (BuildLACCD) has modernized, renovated and constructed state-of-the-art facilities at the Los Angeles Community College District's (LACCD's or District's) nine colleges and three satellite centers in support of their students, faculty and staff. Additionally, BuildLACCD provides employment opportunities for many within the community. BuildLACCD's success depends on the adherence of every individual, working for and with the program, to ethical and legal principles.

To provide ethical guidance to all LACCD and BuildLACCD staff and outside vendors working on the program, the attached Code of Conduct (Code), dated ,2020, will be implemented across Build-LACCD effective immediately. The objective of this Code is to set forth common ethical guidelines to be followed by everyone who works on BuildLACCD to sustain a work environment that safeguards people and empowers those working on the program to act with integrity, openness, respect, honesty, and accountability.

Original Issue Date: March 6, 2017

Initiated by: Chancellor Dr. Francisco Rodriguez

Dates of Changes: August 19, 2021

References:

The Los Angeles Community College District does not discriminate based on disability in the admissions, access to, treatment of, or employment in its programs or activities. Please direct requests for alternate formats of this document to Office of Diversity, Equity, and Inclusion, 770 Wilshire Boulevard, Los Angeles, CA 90017, tel: (213) 891-2315, fax: (213) 891-2295, and email: Diversity-Programs@email.laccd.edu.

BOND PROGRAM EMPLOYEE & STAFF CONSULTANT CODE OF CONDUCT

A. INTRODUCTION

This Code addresses the program's professional, ethical, financial and social values. The Code sets forth what is expected of all BuildLACCD staff and contractors. Our Code also represents our commitment to the students, shareholders, partners and the communities in which we live and work. To the extent that staff includes LACCD employees, nothing contained within this Administrative Regulation shall conflict with existing Board Rules, Regulations or LACCD Personnel Guidelines as it relates to LACCD employees.

B. SCOPE

This Code is applicable to all employees, contracted staff workers, consultants and personnel who work on the BuildLACCD program in any capacity.

Each person involved with BuildLACCD must:

- Abide by the Code
- Not assist others in violating the Code
- Report any perceived violation or request that might constitute a violation
- Act as requested to remediate any potential violations or violations of the Code
- Remain updated of the Code and any subsequent revisions.

C. DEFINITIONS

As used in the Code, the terms below have the following meanings:

1. **"LACCD"** or **"District"** means the Los Angeles Community College District and any of its nine colleges and satellite centers including: Los Angeles Trade Technical College; West Los Angeles College; East Los Angeles College; Pierce College; Valley College; Los Angeles Mission College; Los Angeles City College; Los Angeles Southwest College and

Los Angeles Harbor College, Corporate Center, Southgate Center and Van De Kamp Innovation Center.

2. **"BuildLACCD"** means LACCD's Bond-funded construction program managed by a contracted Program Manager.
3. **"Program Manager"** means the firm contracted by LACCD, and its direct subcontractors, hired by the District to manage BuildLACCD.
4. **"Bond Program Monitor"** means the firm contracted by LACCD and its direct representatives that investigate and report any suspected misconduct, fraud, corruption or violations of laws, rules or regulations.
5. **"Program Management Office" (PMO)** means the employees of the Program Manager as well as all persons hired through task orders from the staff augmentation contracts to work at the PMO or as part of individual College Project Teams.
6. **"College Project Teams" (CPT)** means staff hired through task orders from personnel augmentation companies that work directly at the colleges and oversee vendor and contractor work onsite.
7. **"Vendor"** means any individual or entity seeking to or doing business with the District through BuildLACCD, including, without limitation, contractors, consultants, suppliers, manufacturers seeking to act as the primary contracting party, officers and employees of the foregoing, as well as any subcontractors, subconsultants and sub-suppliers at all lower tiers.
8. **"Gift"** means any item having more than truly nominal value as in a total amount up to \$500 for gift or gifts from a single vendor received within a calendar year as set forth by the CA Fair Political Practices Act, including, without limitation, money, services, loans, travel, meals, charitable donations, refreshments, hospitality, promises, discounts or forbearance that are not generally available to members of the public. A Gift need not be intended to influence or reward any individual or entity.
9. **"Staff"** means any employee of the District or contracted staff of BuildLACCD, this includes the PMO and CPT and hired through staff augmentation contracts and/or task orders to Build-LACCD

E. WORKPLACE SAFETY AND EMPLOYMENT STANDARDS

1. Staff must adhere to all applicable laws and regulations, as well as BuildLACCD requirements related to health, safety and environmental aspects.
2. Staff has the responsibility to maintain any health, safety and environmental management systems, programs and procedures specific to their work and services.
3. Staff must remain updated and adhere to of any revisions or changes to BuildLACCD safety, health, and environmental policies.
4. Staff must adhere to individual human rights and employment laws and BuildLACCD will conduct all business with reasonable working conditions and hours.
5. BuildLACCD will not conduct business with Vendors, subcontractors, consultants, suppliers or any third-parties who violate labor or human trafficking laws. If Staff believes that BuildLACCD, Staff or Vendor is violating labor laws including but not limited to conducting business with or engaging in forced labor or human trafficking practices, the Employee must report it to the PMO.

F. SUBSTANCE USE

1. Staff may not work or conduct business on behalf of BuildLACCD under the influence of alcohol, drugs, improperly-used prescription medication or any other substances that may impair judgment or performance.
2. Staff may not ingest any alcohol or drugs while working on paid District time, unless such drug is properly prescribed by an appropriately licensed physician and taken at their direction and supervision.

G. CONFLICT OF INTEREST

1. "Conflict of interest" occurs when an Staff uses his or her position at BuildLACCD or information acquired during his or her employment in a way that may create a conflict between the

personal interests of the Staff and those of the District or BuildLACCD.

2. Staff must disclose any conflict of interest, including but not limited to the specific instances outlined in this section, before entering work that requires unbiased and objective manner on behalf of BuildLACCD and the District. Per LACCD Administrative Regulations C-6, certain Staff positions are also required to file annual Fair Political Practices Form-700 disclosures.
3. Staff's family member, personal relation or close friend seeks to conduct business with the District or BuildLACCD, that Employee must remove oneself from the selection process entirely and disclose the conflict of interest immediately to the PMO.
4. Examples of conflicts of interest may include, but not limited to, accepting or engaging in outside employment or consulting that impacts BuildLACCD or District work; engaging outside business during designated work hours or using District or BuildLACCD property for ; holding outside financial interests that may or could be perceived to persuade or influence decisions that impact District or BuildLACCD interests; supervising or managing an Employee or Vendor with whom one has a personal relationship; serving on a board of directors or similar governing body that impacts Staff's work at BuildLACCD.
5. "Personal relationships" include immediate family members, spouses, children, stepchildren, parents, stepparents, in-laws, any other members of your physical or financial household or family, domestic partners, partners, fiancés, fiancées.
6. If the Staff seeks to serve on a board of directors or similar governing body for an outside company or Vendor that conducts business with BuildLACCD, the Staff must seek prior approval in writing from the Chief Facilities Executive who will confer with the Office of General Counsel and PMO before accepting such a position. District employees are prohibited from doing business as a vendor for BuildLACCD.
7. Staff may only engage in political or charitable actions outside of the BuildLACCD or LACCD workplace using his or her own time, resources and expense.
8. Staff must avoid situations with Vendors that result in their inability to serve and/or provide BuildLACCD with impartial

assistance or advice and whose objectivity may be compromised or may cause a vendor or vendors to have an unfair competitive advantage with BuildLACCD. Instances include allowing a Vendor to bid on work or products when they established the specifications for procuring such items. a Vendor's work for BuildLACCD under one contract entails evaluating oneself for future work or performance assessments or creates a monitoring or oversight responsibility for its own work; or a Vendor has unfair or greater access to information that provides a competitive advantage over other Vendors.

H. GIFTS

1. Staff may not receive or accept any Gift, directly or indirectly, from a Vendor.
2. No member of an Employee's household may receive or accept any Gift, directly or indirectly, from a Vendor.
3. In most cases, gifts between Vendor and Staff are prohibited, if a Vendor has an existing familial or personal relationship with Staff, a gift that is unconnected with the Staff's duties at the District or PMO is not necessarily prohibited. In determining whether the giving of an item was motivated by personal rather than business concerns, the following factors are considered: (a) the history of the relationship between the donor and the recipient; (b) whether the item was acquired by the donor; and (c) whether the donor seeks to charge or deduct the value of the item as a business expense or seeks reimbursement from a client. However, regardless of the familial or personal relationship between a Vendor and Staff, a Gift is strictly forbidden when it is being given under circumstances where it can reasonably be inferred that it was intended to influence Staff in the performance of his or her official duties.

I. BUILDLACCD INFORMATION AND PROPERTY

1. Staff is obligated to protect BuildLACCD tangible and intangible assets and property.

2. Staff may not disclose or reveal confidential business information to outside parties unless authorized or legally required to do so.
3. Staff must avoid revealing such information to colleagues who do not have a legitimate business need to know the information.
4. Staff may not disclose such information to public requests for information without complying with the records request process set forth in the LACCD Board Rules 7700-7705.
5. Staff may not access prospective, current or former staff records- such as payroll, group insurance, benefits and working files - without proper authority.
6. Staff is obligated to protect confidential District and BuildLACCD information even after his or her employment with BuildLACCD ends.
7. Confidential business information includes, but is not limited to: business plans, intellectual property, proposals, technical innovations, designs, inventions, patents, drawings, financial information, personnel files, and other information District and BuildLACCD produces as part of its operations and work on behalf of the District.
8. Staff must protect BuildLACCD and District property from loss, damage, misuse, theft and waste.
9. Staff must use District and BuildLACCD issued computer equipment and software for BuildLACCD and District business only. Improper use of computers includes, but is not limited to, communicating inappropriate, sexually explicit or offensive statements; viewing or sharing sexually explicit or offensive materials; spreading profanity, derogatory remarks, discriminating or harassing comments, or threatening or abusive language; downloading unlicensed or illegal material; performing work outside and unrelated to BuildLACCD and District. Such use of Build-LACCD and District computing facilities, licensed applications and devices are subject to the LACCD Board Rules, Administrative Regulations B-27 and its appended information technology policies and procedures and B-28, this includes but is not limited, to email use and retention, data protection and data records compliance.
10. All records - paper, electronic, digital, video or audio, exchanged through BuildLACCD and District networks, email

servers, messaging and surveillance systems, as well as created, stored or transacted on District or Build-LACCD issued computing devices are considered public records, unless otherwise legally-protected as confidential information or otherwise exempted by the California Public Records Act. Staff shall be subject to further compliance as set forth in District Board Rules 7700-7709 and Administrative Regulations.

J. ACCURATE BOOKS AND RECORDS

1. Staff may not make false representations on behalf of BuildLACCD or District, either verbally or in writing.
2. Staff must not engage in hiding program funds.
3. Staff may not circumvent internal controls in place in order to ensure accurate books and records.
4. Staff may not mischaracterize BuildLACCD transactions or financial activities.
5. Staff may not create undisclosed or unrecorded fund accounts.
6. Staff may not knowingly allow similar illegal activities to occur.

K. TIMEKEEPING

1. Staff must ensure monthly time reports (project labor logs) accurately reflect the hours and activities worked on a specific task order or project.
2. Time worked on a specific project must be charged to that project and no other project.
3. Staff is required to complete time records and other timekeeping activities in accordance to the requirements established by District and BuildLACCD.

L. LICENSING

1. Staff is responsible for maintaining any appropriate licensing required to do work at BuildLACCD and for representing any credentials in a forthright way.
2. If any changes occur to licensing, Staff must inform the PMO immediately within 72 hours of licensure notification.

M. MEDIA AND INFORMATION REQUESTS

1. Only Staff designated to and authorized to communicate on behalf of BuildLACCD and District may make public statements about BuildLACCD after conferring with the relevant Public Information Officer.
2. In cases of audits and government investigations, it is important to cooperate with such information requests, and Staff must let the Chief Facilities Executive, Office of General Counsel/Lead Construction Counsel, and PMO know before providing any records or documentation.
3. Staff must not conceal, alter or destroy any requested records for an audit or investigation.
4. Staff may not attribute any personal activities, such as but not limited to political or financial activities, to BuildLACCD or District. Staff is prohibited from use of Build-LACCD or District funds, property or resources to support any political or non-District or BuildLACCD business activities.
5. Any public record requests made shall be referred to the Office of General Counsel for handling.

N. REPORTING OBLIGATION

1. Staff is under a continuing obligation to report any violation of the Code or any matter that raises ethical or legal concern by any Employee, District or PMO staff to the PMO, Bond Program Monitor, Office of the LACCD Chief Facilities Executive or the LACCD Office of General Counsel.
2. Staff is under a continuing obligation to report any change in circumstances that materially affects any prior report to LACCD and the PMO, including but not limited to disclosures of conflicts of interest.
3. At any time, Staff may in good faith report a suspected violation of our Code, District policy or the law without fear of retaliation or any adverse impact on employment and workplace safety.
4. Any report not made in "good faith" will be met by appropriate disciplinary action.