

CTA ETHICS TRAINING



Citizens Advisory Board 2023

Introduction

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Why am I taking this training?

State and CTA laws require that **OFFICERS** take annual ethics training.

- CTA Ordinance (Code of Ethics)

- CTA Ethics Ordinance

- IL State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq.

- Citizen Advisory Board members are CTA “officers,” regardless of whether they are compensated for their service;
- As officers, you owe **fiduciary duties** to the CTA (honesty and fair dealing).

Who's Who?

- Ethics Officer for CTA –
Sisavanh Baker
- Office of the Executive
Inspector General –
Independent State Agency
- Executive Ethics Commission

What is the Goal of Ethics Rules?



Conflict of Interest

- §2.1 – Officers “have a special relationship of trust with the public” and must conduct themselves to avoid the appearance of impropriety.”
- §2.3 – Improper influence
 - No influence on any CTA decision where there is a personal “economic interest distinguishable from that of the general public.”
 - No communication on bids that is intended to provide an unfair advantage.

Conflicts of Interest §2.8(c) “Economic interest”

- Economic interest = reducible to money.
- Cannot participate in CTA decision if you have “any **economic interest** distinguishable from that of the general public.”
- A Citizens Advisory Board member with economic interest in a CTA matter shall:
 - publicly disclose nature and extent of such interest or business relationship on record of proceedings of the Board and
 - abstain from voting on the matter.
- Timing: when you are or reasonably

Conflicts of Interest §2.8(d) “Financial Interest”

- Financial Interest = any interest, as a result of which you are entitled to receive >\$2500 per calendar year or any interest valued at >\$5000.
- Officers with a **financial interest** in a CTA matter must:
 - Disclose it to the Ethics Committee;
 - Disclosure must be in writing.
- Implied: abstain from involvement.

Conflicts – No Contracts

No Interest in your name in any CTA contract, work or business



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Knowledge Check

Mark is an appointee to a transit board. While out to dinner one night, Mark's friend mentioned that his brother had been down on his luck lately but applied for a position at Mark's agency and hoped Mark could help him out. Mark was not involved in the hiring process (as board appointees never participate in these types of hires) but called the hiring manager the next day and asked about the status of his friend's brother's application. The hiring manager informed Mark that she had already reviewed applications and selected several qualified candidates to interview, but Mark's friend's brother had not been included. The hiring manager then said she could add him to the interview pool if Mark wanted. Mark sees no harm in this but isn't quite sure it's a good idea.

What things should Mark consider before responding to the hiring manager?

- A. Mark should consider whether his involvement in this hiring process is proper, given his role on the board and his lack of involvement in similar hires.
- B. Mark should consider whether his connection to the applicant could create a conflict of interest, or the appearance thereof, with respect to the applicant's hiring.
- C. Mark should consider whether his position on the board may have undue influence on the hiring manager's decisions with respect to the hiring process.
- D. Mark should consider whether his actions are in line with other agency policies.
- E. Mark should think about all of the above considerations.
- F. Mark doesn't need to think about any of these considerations because he didn't ask the hiring manager to hire his friend's brother; he only recommended him and asked that he be interviewed.

Prohibited Political Activity, CTA §2.15, State §5.15

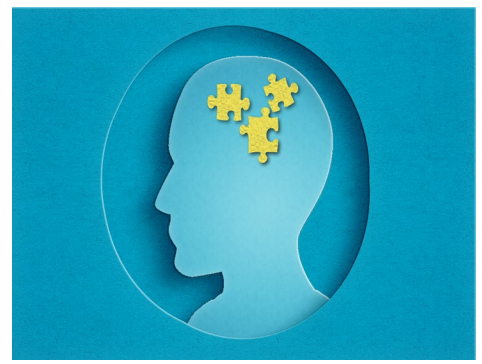
- No prohibited political activity on CTA compensated time or using CTA resources.
 - **Officers**: on CTA premises or when executing official CTA duties.
- Permitted to engage in voluntary political activities on non-compensated time or using own resources.

“Prohibited Political Activity”

- Organizing or participating in a political rally or event
- Soliciting contributions for candidate
- Canvassing for votes
- Assisting at the polls
- Soliciting votes
- Circulating petitions
- Campaigning

“Political” Activities

- Also covers:
 - Campaigns for or against a referendum question
 - Recounts or other election challenges
- But does not cover:
 - Activities related to supporting or opposing any executive, legislative, or administrative action
- You are not restricted from running for office.



Knowledge Check

Taylor sits on a Regional Transit Board by virtue of her position as the mayor of her town and is compensated for her transit board role. Hoping to be re-elected as mayor in November, Taylor has started ramping up her campaign efforts and finding new ways to reach the community. As part of her transit board duties, for which she was compensated, Taylor attended the groundbreaking ceremony for a new rail station in her town. Knowing that many of her constituents and local business owners were in attendance or watching the ceremony on the news, Taylor took the opportunity, while giving a speech on behalf of her transit board, to highlight many of the transit-related accomplishments of her mayoral term and said, “I am now coming to you as a member of the community—not as a transit board member—and asking for your support and your vote for me as mayor.”

Did Taylor likely engage in a prohibited political activity?

- A. No, because when asking for votes and support, Taylor made clear she was speaking as a member of the public and not as a board appointee.
- B. Yes, the Ethics Act prohibits transit board appointees from intentionally performing certain political activities on compensated time.
- C. No, because Taylor is only on the board by virtue of her position as mayor and the prohibition on political activity does not apply.



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Gift Ban

CTA §2.4, State § 10-10

- General Rule:
 - You cannot solicit or accept a **gift** from a **prohibited source**.
- Gift ban applies to you, your spouse and any immediate family member living with you.
- The purpose is to avoid influence tactics sometimes used by vendors.

“Prohibited Source”— Any person or entity:

- who seeks administrative or Board action from the CTA;
- does or seeks to do business with the CTA;
- conducts activities regulated by the CTA;
- has interests that may be affected by your actions or failure to act;
- **is a registered State lobbyist;**
- **is an agent, spouse, or immediate family member who is living with a “prohibited source”**

Gift Defined Broadly

Any tangible or intangible item with monetary value: cash, food & drink, entertainment, hospitality, discount, forbearance, honoraria for speaking engagements related to official position.

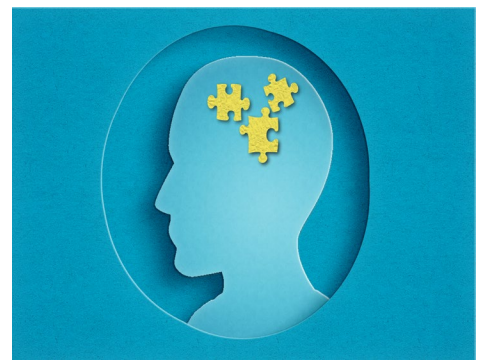
- 1/2 priced tickets = gift.
- Upgrade in service = gift.
- Not collecting on a debt that is owed = gift.

Exceptions (Gifts Allowed) State Ethics Act, 5 ILCS 430-15

- Exceptions:
 - When you pay Fair Market Value;
 - Educational Missions and business travel;
 - Family/Friend Gift;
 - Food/refreshments under \$75 per day;
 - Items from a prohibited source with a total cumulative value of under \$100 in a calendar year;
 - Outside employment exception.
- Each exception is mutually exclusive and independent of one another.
- Hypotheticals

Disposition of Gifts under State Ethics Act and CTA Code of Ethics

- State Ethics Act, 5 ILCS 430/10-30
No violation if:
 - Prompt return to prohibited source.
 - Gift donated to charity.
 - Amount equal to value of gift donated to charity.
- CTA Code of Ethics, if you receive a gift for your CTA work: -
 - Report to Ethics Committee within five (5) days
 - Applies even if a gift is not from a “prohibited source.”



Knowledge Check

Julian is a transit board appointee who sits on the transit board's vendor selection committee. After hearing several vendors' pitches for a transit board contract, the committee takes a break. In the hall, Julian chats with one vendor about summer vacation plans. Julian mentions that he is planning a family trip to Miami. The vendor tells Julian that she owns a property in Miami that she would be happy to let Julian use at no cost, even though she normally rents it out for \$400 per night.

Under the Ethics Act, may Julian lawfully accept the hospitality offered by the vendor?

- A. No, Julian cannot accept the gift because it was offered from a prohibited source.
- B. No, transit board employees may never accept anything from a prohibited source.
- C. Yes, because no one at Julian's agency knows where he is planning to vacation.

Annual Financial Disclosure, CTA Code of Ethics §3.1

- Appointees are required to file an annual financial statement.
- Questions regarding gifts and honoraria, financial interest in CTA real estate, in entities doing business with CTA, etc.
- Secondary employment income.
 - Identify organization from whom received income in excess of \$2500/year.

Confidential Information

§2.7

- Prohibits disclosure of confidential information.
- Applies to current and former officers and employees.
- Defined as information that may not be obtained under Freedom of Information Act.

IL Open Meetings Act, 5 ILCS 120/1 et seq.

- Actions taken and deliberations conducted must be done openly.
- Advanced notice and right to attend meetings.
- Limited exceptions, construed narrowly.
- Meeting = any contemporaneous interactive communication of a majority of a quorum of the members of a public body held for the purpose of discussing public business
- Please take training online (90 days after oath)

https://foiapac.ilag.gov/viewpdf.aspx?P=~/content/pdf/Open_Meetings_Act_Elected_Appointed_Members.pdf

Take Aways

- General Ethics Purposes
- Where to get Ethics Questions Answered
- Ethics Rules & Requirements
 - Conflicts
 - Prohibited Political Activity
 - Gift Bans

Training Packets/Certification



Acknowledgment of Participation

2023 Ethics Training for Appointees to Regional Transit Boards

I certify that I have carefully read and reviewed the content of, and completed, the 2023 Ethics Training for Appointees to Regional Transit Boards. Furthermore, I certify that I understand that my failure to comply with the laws, rules, policies, and procedures referred to within this training course may result in disciplinary action up to and including termination of my Regional Transit Board employment/appointment, administrative fines, and possible criminal prosecution, depending on the nature of the violation.

Signature

Printed Name
(first, middle initial, last)

Month and Day of Birth
(for example, July 15)

Date

Transit Board Name
(for example, Metra)

(To be properly credited for participating in ethics training, please submit this form as directed by your transit board)

January 2023

Any Questions?



Thank you



*Thank
You*