

# Columbia County Transportation Authority

**Resolution:** CCTA-2005-17

## **Title: Adoption of Policies – Prohibiting Harassment, CCPT Code of Ethics, Complaints of Unfair Competition Procedure and Purchasing Policy**

### Recitations:

WHEREAS, the Columbia County Board of commissioners resolved to develop a Columbia County Transportation Authority in Resolution # 2005-09 as authorized under RCW § 36.57.020 on Feb. 7, 2005 ;

WHEREAS the Columbia County Transportation Authority has, pursuant to RCW 36.57.080 acquired the funds and system of the existing transportation system previously run by the county;

WHEREAS, pursuant to RCW § 36.57.080, the Authority is required to assume any contractual obligations involved with the pre-existing transportation system,

WHEREAS the Columbia County Public Transportation system is run solely from federal, state and other assistance programs which have requirements,

### IT IS HEREBY RESOLVED THAT:

The Columbia County Transportation Authority hereby adopts :  
Columbia County Public Transportation Policy #2004-01, attached identified as Exhibit A and herein incorporated;  
Columbia County Public Transportation Policy #2004-02, attached identified as Exhibit B and herein incorporated;  
Columbia County Public Transportation Procedure for Complaints of Unfair Competition, attached and identified as Exhibit C and herein incorporated;  
Columbia County Purchasing Policy, attached and identified as Exhibit D and herein incorporated.

DATED this 7<sup>th</sup> day of March, 2005.

  
Chairperson

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Attest:

Stephanie Guettinger  
Stephanie Guettinger, General Manager

## **COLUMBIA COUNTY PUBLIC TRANSPORTATION**

### **POLICY # 2004-01**

### **CCPT POLICY PROHIBITING HARASSMENT**

It is the policy of Columbia County Public Transportation (CCPT) that harassment on the basis of the race, creed, color, national origin, age, sex, marital status, or the presence of a physical, sensory or mental disability of an employee or member of the public is a violation of the CCPT policy.

Prohibited harassment includes comments, slurs, jokes, innuendos, cartoons, pranks, physical harassment, etc., which are derogatory on the basis of the protected class membership of the employee or member of the public.

Harassment also includes negative actions based upon an employee's participation in activities identified with or promoting the interest of protected group.

Sexual harassment includes unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature. An employee has the right to use language other than English for discussion that are not related to official CCPT business and for discussions during breaks, lunches, etc. and to adhere to cultural ethnic customs without being subjected to harassment.

Employees have the right to be free from such harassment on the job, whether from co-workers, supervisors, Department Managers, or non-employees. Harassment is prohibited by state and federal anti-discrimination laws where (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. All employees are prohibited from engaging in or permitting or tolerating the harassment of any employee or member of the public in the workplace. It is the policy of CCPT that intimate relationships between supervisory and subordinate are prohibited.

### **REPORTING PROCEDURES:**

If you are aware of harassment, intimidation or coercion, you must report the act or behavior to your immediate supervisor. If you feel uncomfortable doing so, or if your supervisor is the source of the problem, condones the problem, or ignores the problem, report to another administrator or a member of the Collective Risk Management Team.


If none of these alternatives are satisfactory to you, you can direct your questions, problems, complaints or reports by calling the Employee Protection Line. You are not



required to directly confront the person who is the source of your report, question, or complaint before notifying any of those individuals listed.

**Administrative Rules:**

1. Administrators and supervisors are responsible for their conduct and for their employees' conduct and will take affirmative steps to stop harassment by subordinates when observed or brought to their attention, including warning or disciplining the offending employee.
2. Columbia County will determine if harassment has/is occurring based on a review of the facts and circumstances of each situation. Columbia County reserves the right and hereby provides notice that third parties may be used to investigate claims of harassment. All employees must cooperate in any investigation of workplace wrongdoing or risk termination. All employees, including supervisors and managers, will be subject to severe disciplinary action, up to and including discharge, for any act of harassment they are believed to have committed.
3. There will be no retaliation by any County official or employee against any person who, in good faith, reports harassment.

**APPROVED**  
BOARD OF COUNTY COMMISSIONERS  
  
CHAIRMAN  
  
COMMISSIONER  
  
COMMISSIONER  
DATE 9-7-04

## COLUMBIA COUNTY PUBLIC TRANSPORTATION

### POLICY # 2004-02 CCPT CODE OF ETHICS POLICY

Columbia County Public Transportation (CCPT) shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees, board members, or agents engaged in the award and administration of contracts supported by Federal Assistance. The code or standards shall provide that CCPT's officers, employees, board members, or agents may neither solicit nor accept gratuities, favors, gifts, or anything of monetary value from present or potential contractors or sub-recipients. CCPT may set "de minimis" rules where the financial interest is not a substantial or a gift is a solicited item of nominal value. As permitted by State or local law or regulations, such code or standards shall include penalties, sanctions, or other disciplinary actions for violations by CCPT's officers, employees, board members, or agents, or by subcontractors or sub-recipients or their agents.

1. **Personal Conflict of Interest:** CCPT's code or standards of conduct shall prohibit CCPT's employees, officers, board members, or agents from participating in the selection, award, or administration of a contract supported by Federal assistance if a real or apparent conflict of interest would be involved. Such a conflict would arise when any of the parties set forth below has a financial or other interest in the firm or entity selected for award:
  - a) The employee, officer, board member, or agent;
  - b) Any member of his or her immediate family;
  - c) His or her partner; or
  - d) An organization that employs, or is about to employ, any of the above.
2. **Organizational Conflict of Interest:** CCPT's code or standard of conduct must include procedures for identifying and preventing real and apparent organizational conflicts of interests. An organizational conflict of interest exists when the nature of the work to be performed under a proposed third party contract may, without some restrictions on future activities, result in an unfair competitive advantage to the third party contractor or impair its objectivity in performing the contract work.
3. **Bonus or Commission:** CCPT affirms that it has not paid, and agrees not to pay, any bonus or commission for the purpose of obtaining approval of its application for Federal financial assistance for any FTA projects.
4. **Restrictions on Lobbying:** CCPT agrees to comply with the provisions of 41 U.S.C. 1352, which prohibits the use of Federal funds for lobbying any official or employee of any Federal agency, or member or employee of Congress. In addition, CCPT agrees to disclose any lobbying of any official or employee of any Federal Agency, or member or employee of Congress in connection with Federal



assistance, and to comply with USDOT regulations "New Restrictions on Lobbying," 49 C.F.R. Part 20.

5. **Employee Political Activity:** The terms of the "Hatch Act," 5 U.S.C. as 1501 through 1508, and Office of Personnel Management regulations, "Political Activity of State or Local Officers or Employees, 5 C.F.R. Part 151, apply to State and local agencies and their officers and employees to the extent covered by the statute and regulations. The "Hatch Act" restricts the political activity of an individual principally employed by a State or local executive agency in connection with a program financed in whole or in part by a Federal loan, grant, or cooperative agreement. However, the "Hatch Act" does not apply to a non-supervisory employee of a mass transportation system (or of any other agency or entity performing related functions) receiving FTA assistance to whom the "Hatch Act" does not otherwise apply.
6. **False or Fraudulent Statements of Claims:** CCPT acknowledges that if it makes a false, fictitious, or fraudulent claim, statement, submission, or certification to WSDOT in connection with Federal Projects, WSDOT reserves the right to impose on CCPT the penalties of 18 U.S.C. ss 1001, 31 U.S.C. ss 3801 et seq., and 49 U.S.C. ss 5307(n)(1), to the extent FTA deems appropriate. CCPT also recognizes that the terms of USDOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to Federal Projects.

CCPT Policy  
August 30, 2004

**APPROVED**  
BOARD OF COUNTY COMMISSIONERS  
*[Signature]* CHAIRMAN  
*[Signature]* COMMISSIONER  
*[Signature]* COMMISSIONER  
DATE 9-7-04

## **COLUMBIA COUNTY PUBLIC TRANSPORTATION**

### **COMPLAINTS OF UNFAIR COMPETITION PROCEDURE**

Following are the procedures for handling complaints by a private sector transportation provider that alleges unfair competition due to Columbia County Public Transportation's expanded or current service structure.

1. The Transit Services Manager shall be responsible for receiving and investigating any complaints of unfair competition and will make it an immediate priority in providing the information to the Board of Commissioners.
2. The Board of County Commissioners shall be responsible for reviewing and analyzing the findings from the investigation.
3. The Board of County Commissioners shall make a recommendation to the Transit Services Manager regarding the merits of the allegation of unfair competition.
4. Upon receipt of the information, the Board of County Commissioners will place the item on the next available agenda and shall respond to the complaint with a written determination to the Complainant with a goal of thirty (30) days, or as soon as is reasonably practicable. The determination shall include instructions for appeal(s) as stated below in steps 5 and 6.
5. Written Appeals to the Board of County Commissioners determination must be received by Columbia County Public Transportation (CCPT) within fifteen (15) business days of the determination receipt. A mediator or mediation panel that does not include employees or Board Members of CCPT will hear the appeal.
6. If either CCPT or the Complainant is not satisfied with the mediator's decision, they may appeal the decision to Washington State Department of Transportation's Public Transportation and Rail Division. Appeals must be filed with the Public Transportation Office Manager within thirty (30) days of the mediator's decision and include the following:
  - An original signature of the chief executive officer of the entity filing the appeal.
  - The grounds under which the appeal is being filed.
  - A copy of the mediator's decision.

A copy of the appeal must be sent by the entity filing the appeal to the other party involved. Once the Public Transportation Office receives the appeal, it

will review the decision and the procedures followed from the time the initial complaint was received by CCPT. The Public Transportation Office will review the procedures that were followed and issued a determination on the appeal.

7. The determination of the Public Transportation Office shall constitute the final appeal and decision.
8. A Complaints of Unfair Competition file of binder shall be maintained by the Transit Services Manager and include all correspondence regarding any complaints.

CCPT Procedure  
August 30, 2004

**APPROVED**  
BOARD OF COUNTY COMMISSIONERS  
*Charles A. Kove* CHAIRMAN  
*Timothy J. Kove* COMMISSIONER  
*Wright G. Kove* COMMISSIONER  
DATE 9-7-04



# **Columbia County Public Transportation PURCHASING POLICY**

## **Delegation of purchasing authority:**

- Purchases of \$50.00 or less for gasoline or minor vehicle supplies may be made by the drivers.
- Purchases of goods or services costing between \$50.00 and \$500.00 may be made by the drivers if approved in advance by the Transit Services Manager or in an emergency situation if you are out of town and cannot reach Transit Services Manager or Board of Commissioners. Appropriate paperwork and receipts to these transactions must be turned into transportation office immediately after return trip.
- Purchases of goods or services costing between \$500.00 and \$1500.00 may be made by the Transit Services Manager if quotes are obtained by telephone in advance and approved by the designated Commissioner who is over transportation.
- Purchases of goods or services costing more than \$1500.00 may be made if a formal bidding procedure is followed, and subject to approval by the Board of Commissioners.

## **Avoiding unnecessary or duplicating of purchases:**

- All purchases are to be reviewed by the supervisor to justify the purchase and to prevent duplicate or unnecessary purchases.

## **Consolidating or breaking out procurements to obtain a more economical price:**

- Purchasing of items can either be by piece meal or consolidation of items, depending on which method will provide the maximum return on investment.

## **DBE Vendors:**

- A good faith effort must be made to purchase goods and services from certified Disadvantage Businesses Enterprises that are in this area.

**APPROVED**  
BOARD OF COUNTY COMMISSIONERS  
*Charles S. Kere* CHAIRMAN  
*Richard Wilson* COMMISSIONER  
*Night R. R. R.* COMMISSIONER  
DATE 8-20-01