



HOUSING AUTHORITY OF THE
CITY AND COUNTY OF SAN FRANCISCO

Personnel Policy, Rules and Procedures

CONFLICT OF INTEREST

POLICY

Employees of the Authority will avoid anything that constitutes a real or perceived conflict of interest. No employee or immediate family member shall own property that is utilized by the Authority under any subsidized housing program sponsored or administered by the Authority nor may they have a financial interest in any firm doing business with the Authority. Employees will not engage in outside employment, with or without pay, that constitutes a real or perceived conflict of interest, nor will employees supervise anyone, directly or indirectly, who is related to them by blood, marriage or legal process (e.g., adoption). Upon being notified that a conflict exists, the employee must immediately resolve the conflict by terminating the outside activity, leaving the Authority, or in the case of nepotism, cooperating in a reassignment that removes the supervisory relationship. No employees will handle matters related to their own cases or to the case(s) of member(s) of their family.

Adopted by Resolution Number: 4939, 10/26/00

RULES AND PROCEDURES

I. OVERVIEW

No Authority employee can have a personal interest, even indirectly, in any contracts, sales or purchases of property, materials, or services of or to the Housing Authority.

No Authority employee or immediate member of his/her family shall have an interest in, or share in any part of any lease or benefit arising from any transactions under Section 8 or any future sections under the sponsorship of the San Francisco Housing Authority.

No licensed broker or third party may serve as a legal representative of an employee, or member of the family of an employee of the San Francisco Housing Authority to obtain any benefit from the Housing Authority.

Housing Authority Board of Commissioners

Joaquín Torres
President

Leroy Lindo
Vice President

Luenna Kim

Mary Ann Pikes

Yolanda Harris

Tonia Lediju, PhD
Chief Executive Officer

II. PROCEDURES

A. Conflict of Interest and Code of Business Conduct

1. All new employees will receive a copy of this conflict-of-interest policy, rules and procedures during their initial orientation. All employees will sign a certification that they have received a copy of and understand the conflict-of-interest policy.
2. All Authority employees will sign a statement stating whether they have a financial interest in any firm doing business with the Authority. If any employee has such interest, it creates a conflict of interest, and such interest must either be divested immediately, or the employee will be asked to terminate his/her employment with the Authority, or the Authority will terminate the employee.
3. All employees will sign a statement stating whether they have an interest in any housing leased to the Authority under the Section 8 Program.
4. Any questions or matters for clarification regarding this policy or implementing rules should be addressed during initial orientation. Any subsequent conflict of interest questions should be referred to the Office of General Counsel or Human Resources.
5. Supervisors should be watchful for real or perceived conflicts-of-interest and take immediate and positive steps to resolve them when they become known.
6. Employees and supervisors have an affirmative duty to immediately report any real or perceived conflicts of interest when they become known. Reports will be made to the employee's Administrator (or equivalent position), General Counsel or Human Resources.
7. Outside employment is subject to critical appraisal if it conflicts with or impacts on the full performance of the employee and the interests of the Authority. Any paid employment that could, in any way, be a real or apparent conflict of interest must be reported immediately. Any other type of employment, paid or volunteer, of more than twenty (20) hours a week for a duration of thirty (30) calendar days or more must also be reported. Reports of outside employment will be submitted through the immediate supervisor to the respective Administrator, or equivalent. Outside employment may not continue if it is a real or apparent conflict of interest with duties performed at the Housing Authority. In those instances where the Administrator determines there may be a conflict, outside employment must be approved by the Chief Executive Officer whose decision is final and binding.

B. Employees Who are also Authority Clients

1. An employee of the Authority who is also a client or who is related to a client has a responsibility to avoid any conflict of interest that might lead to unequal treatment. For this reason, no employee will handle matters related to their own cases or to the case(s) of member(s) of their family. Employees must immediately report to their direct

supervisor or other supervisor in their chain of command any potential or actual conflict of interest in this area.

2. Each Administrator or equivalent must take steps to ensure that any actions or decisions taken within his/her Department affecting any employee's client status or the client status of an employee's relative are in accordance with all applicable policies and procedures. No employee or employee's relative will suffer any loss of benefit or receive any gain of benefits as a result, direct or indirect, of his/her employment at the Authority or his/her relationship with an Authority employee.
3. The affected Administrator must personally review each decision that affects the client status of an Authority employee or the relative of an Authority employee prior to the action becoming effective.

C. Employees Who Work for Employees

1. Employees of the Authority who wish to request the personal services of another Authority employee must report the requested service to the Director of Human Resources. The request for service will be in writing and approval must be granted prior to the work being performed.
2. No employee will be engaged in outside work or any service during his/her regularly scheduled hours of work, nor will the employee use Authority-owned property or material to perform such work or service.
3. The work or service being performed will not be or appear to be incompatible with an employee's employment with the Authority.

D. Nepotism

No supervisor may supervise, directly or indirectly, any employee related by blood, marriage, or legal proceeding such as adoption. Supervisors and employees must disclose such relationships as soon as they occur. No supervisor will participate in or attempt to influence any employment decisions, directly or indirectly, for any relative.

III. INCOMPATIBLE ACTIVITIES

This Statement of Incompatible Activities ("*Statement*") reiterates the requirements of all officers and employees of the Housing Authority of the City and County of San Francisco ("*Authority*") and the Authority's Board of Commissioners ("*Board*") related to activities that are incompatible with their position and public duties and are therefore prohibited. For the purposes of this Statement, and except where otherwise provided, "officer" shall mean the Chief Executive Officer and a member of the Board; and "employee" shall mean all employees of the Authority.

This Statement is adopted pursuant to the Authority's Personnel Policies, Rules and Procedures (*PPRP*). Nothing in this document shall modify or reduce any due process rights provided pursuant to the officer's or employee's collective bargaining agreement.

Nothing in this Statement shall be construed to prohibit or discourage any Authority officer or employee from bringing to the Authority's and/or public's attention matters of actual or perceived malfeasance or misappropriation in the conduct of Authority business, or from filing a complaint alleging that an Authority officer or employee has engaged in improper governmental activity by violating local campaign finance, lobbying, conflicts of interest or governmental ethics laws, regulations or rules; violating the California Penal Code by misusing Authority resources; creating a specified and substantial danger to public health or safety by failing to perform duties required by the officer's or employee's Authority position; or abusing his or her Authority position to advance a private interest.

If an employee has questions about this Statement, the questions should be directed to the employee's supervisor or to the Chief Executive Officer. Similarly, questions about other applicable laws governing the conduct of public employees should be directed to the employee's supervisor or the Chief Executive Officer. Employees may also contact their unions for advice or information about their rights and responsibilities under these and other laws.

If an Authority officer has questions about this Statement, the question should be directed to the officer's appointing authority or to General Counsel.

Note: References made throughout this policy are to the Authority's: [Personnel Policies, Rules and Procedures \(Personnel Handbook\)](#) (PPRP).

A. Restrictions on Incompatible Activities

This section prohibits outside activities, including self-employment, that are incompatible with the mission of the Authority. Under section 2A(7) above, of the Conflict of Interest Policy, an officer or employee may seek an advance written determination whether a proposed outside activity is incompatible and therefore prohibited. Activities may include those that conflict with the official Authority duties and responsibilities, activities with excessive time demands and activities that conflict with the Authority's policy regarding bids, RFQ's and RFP's (*ref. PPRP, pgs. 127-128*).

B. Procedure for Advance Written Determination

As set forth in the Personnel Policies, Rules and Procedures, Conflict of Interest section 2A(7) above, advance written determination must be requested and approved in advance of activities, such as outside employment, which could be considered a conflict of interest.

To assure that these rules are enforced equally, requests for advance written determinations and written determinations, including approvals and denials, are public records to the extent permitted by law.

C. Restrictions on Use of Authority Resources, Work Product of Prestige

The Authority's Personnel Policies, Rules and Procedures, Code of Ethics, Conduct and Responsibilities of Employees (*ref. PPRP Sections 13 and 14, pgs. 20-21*), provide guidance on the use of Authority resources and work product. Additional guidance is provided on obligations that employees will not use their office or position for private gain (*ref. PPRP section 14, pgs. 21-22*).

D. Prohibition on Gifts for Assistance with Authority Services

State and local law place monetary limits on the value of gifts an officer or employee may accept in a calendar year. (*Political Reform Act, Gov't Code § 89503*) The Authority's Fraud Prevention and Detection section of the Personnel Policies, Rules and Procedures provides a detailed list of actions constituting fraud (*ref. PPRP, pg. 127*).

In addition, the following gifts are de minimis and therefore exempt from the restrictions on gifts imposed by section V of this Statement:

- Gifts, other than cash, with an aggregate value of \$25 or less per occasion; and
- Gifts such as food and drink, without regard to value, to be shared in the office among officers or employees.

E. Amendment of Statement

Once a Statement of Incompatible Activities is approved by the Authority's Board, the Authority may, subject to the approval of the Board, amend the Statement. In addition, the Board may at any time amend the Statement on its own initiative.