

U of A Division of Agriculture Code of Ethics

The U of A Division of Agriculture, Code of Ethics (Code) is the written document that supports the culture of ethical and efficient service to the citizens of the State provided by this organization. The Code describes the behavior expected of all employees.

Code of Ethics

Division employees must comply with all applicable laws and regulations. Employees will be held accountable for conduct that violates the law, including the ethical provisions. This includes receiving payments for illegal acts, indirect contributions, rebates, or bribery.

If an employee is uncertain about the application or interpretation of any legal or procedural requirement, the employee should ask for guidance from his or her immediate supervisor.

Relationships with Clients and Suppliers

Employees must adhere to ACA §19-11-705 in their relationships with clients and suppliers to avoid any conflict of interest. In addition, any employee who has or obtains any benefit from a state contract with a business in which the employee has a financial interest shall make a disclosure to the Director of DFA in accordance with ACA §19-11-706 and the Rules and Regulations for Implementing Governor's Executive Order 98-04. Arkansas State Code can be found by clicking the appropriate title at: <http://www.lexisnexis.com/hottopics/arcodes/Default.asp>

Gifts, Entertainment, and Favors

Employees must not accept entertainment, personal favors and gifts or preferential treatment that could influence their decisions in performing their job functions. Specific procurement law addressing gratuities is codified in ACA §19-11-707 and included in Part 4 of the Procurement Law and Regulations promulgated by the Office of State Procurement.

Refer to [Rules and Gifts](#) issued by the Arkansas Ethics Commission for detailed rules on gifts at: http://arkansasethics.com/rules/Rules_on_Gifts.doc.

Kickbacks and Prohibited Commissions

Employees must not receive kickbacks, prohibited commissions or other prohibited payments from third parties. Violations of this rule will result in imposition of the penalties provided by law. Specific procurement law addressing kickbacks and commissions is codified in ACA §19-11-707 and §19-11-708 and included in Part 4 of the Procurement Law and Regulations promulgated by the Office of State Procurement.

Organization Funds and Other Assets

Employees who have access to Division assets in any form must follow the prescribed procedures for use, recording, handling, and protection of these assets as detailed in policies. If an employee has knowledge of fraud or waste of public assets, the employee should immediately advise his or her immediate supervisor.

Organization Records and Communications

Division's books and records must reflect accurate and timely recording of all business transactions. Full disclosure of assets, liabilities, receipts and disbursements must be made.

Employees must not make or engage in any false record or communication whether internal or external, including but not limited to:

- False expense, attendance, production, financial, or similar reports and statements
- False advertising, deceptive marketing practices, or other misleading representations

Dealing With Outside People and Organizations

Employees must not use their position or affiliation with the Division when communicating regarding matters not involving Division business. Employees must not use organization identification, stationery, supplies, and equipment for personal or political matters.

When communicating publicly on matters that involve Division business, employees must not speak on behalf of the Division on policy issues that have not been discussed with Division Management.

When dealing with anyone outside the Division, including public officials, employees must take care not to compromise the integrity or damage the reputation of the Division or any other entity.

Prompt Communications

Employees of the Division shall respond promptly and accurately to all requests for information and complaints regardless of the source.

Privacy and Confidentiality

When handling financial and personal information about clientele or others with whom the Division has dealings, observe the following principles:

1. Collect, use, and retain only the personal information necessary for Division business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
2. Retain information only for as long as necessary or as required by law. Protect the physical security of this information.
3. Limit internal access to personal information to those with a legitimate business reason to have the information. Use personal information only for the legitimate business purpose for which it was obtained. Release of any information to persons not involved with the stated business purpose should be made by management in response to a Freedom of Information Act request. Any tax information that is confidential pursuant to ACA § 26-18-303 should not be disclosed, except as allowed by law.

Reporting Suspected Fraud

Division employees have a responsibility to report occurrences of an ethical violation, fraud, waste or abuse of Division resources that can be verified through investigation. Division employees shall be protected against any form of retaliation, including discharge, for reporting, in good faith, occurrences of an ethical violation, fraud, waste or abuse of Division resources as stated in DFA Administrative Memorandum #300.29 and the Arkansas Whistleblower Act (ACA §§21-1- 601--609). Investigations to substantiate reported allegations will be conducted in a confidential manner.

Allegations of an ethical violation or fraud may be reported to the Affirmative Action Officer (1-501-671-2015) or to the University of Arkansas System Internal Audit Office's Fraud Hotline (1-866-252-9838). A complainant may also choose to report fraud, waste or abuse by completing a Complaint Form obtained at the following web site:

<http://www.dfa.arkansas.gov/offices/accounting/internalaudit/Pages/FraudReporting.asp>

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UA Board of Trustees' Code of Ethical Conducts Policy #335.1

The Board of Trustees of the University of Arkansas adopted a Code of Ethical Conduct that applies to all University employees. A copy of the Code is attached to this policy.

Complaint forms can be mailed to the following address:

U of A Division of Agriculture
ATTN: Affirmative Action Officer
P. O. Box 391
Little Rock, AR 72203

My signature on this document indicates that I have read and fully understand the prohibited activities and my responsibilities as listed in this code of ethics, and will comply with such and the UA Board of Trustees Code of Ethics Policy #335.1.

Name **Date**

Signature/Title **Date**

UNIVERSITY CODE OF ETHICAL CONDUCT

I. Introduction

The University of Arkansas System recognizes that its reputation is one of its most valuable assets and is committed to maintaining the trust and confidence of both the University community and the citizens of the State of Arkansas. Therefore, the University of Arkansas System requires its employees to meet certain ethical standards.

Employees shall conduct themselves in a manner that strengthens the public's trust and confidence by adhering to the following principles:

- conduct that is beyond reproach and integrity of the highest caliber;
- honesty and fairness; and
- accountability, transparency and commitment to compliance.

II. Scope

This Code of Ethical Conduct applies to all University employees. It is intended to apply across the University at all affiliates. This Code may be amended or supplemented from time to time by the Board of Trustees.

III. Purpose

This Code of Ethical Conduct serves (1) to emphasize the University's commitment to ethical conduct and compliance with the law; (2) to set forth basic standards of ethical behavior; (3) to provide reporting mechanisms for known or suspected ethical violations; and (4) to help prevent and detect wrongdoing.

Given the variety and complexity of ethical questions that may arise in the course of carrying out the University's business, this Code can serve only as a general guide. Confronted with ethically ambiguous situations, employees should keep in mind the University's commitment to the highest ethical standards and seek advice from appropriate levels of University administration so as to ensure that this commitment is honored at all times.

IV. Ethical Standards

A. Compliance with Laws, Rules, and Regulations

Obedying the law, both in letter and in spirit, is the foundation on which the University's ethical standards are built. In conducting the affairs of the University, employees must comply with applicable laws, rules, and

regulations at all levels of government in the United States and in any other jurisdiction in which the University does business. Although employees are not expected to know all the details of these laws, it is important to know enough about applicable federal, state, and local laws to determine when to seek advice from appropriate levels of the University's administration.

B. Fair Dealing

Whenever they act on the University's behalf, and regardless of whether they are dealing with colleagues or third parties, employees are required to act honestly, in good faith, and with professionalism. No employee may take unfair advantage of another person through unlawful harassment, manipulation, abuse of privileged information, misrepresentation of material facts, or any other unfair practice.

C. Protection and Proper Use of University Resources

Employees owe a duty to the University to advance its legitimate interests whenever possible, and they are prohibited from taking for themselves, or members of their immediate family, opportunities that are discovered through the use of University property, information, or position without the prior written consent of the University. No employee may use University property, information, or position for improper personal gain, and no employee may directly or indirectly compete with the University.

Employees should protect the University's assets and ensure their proper and efficient use. University facilities and equipment should not be used for unauthorized non-University business. The obligation of employees to protect the University's assets includes, but is not limited to, its proprietary information. Proprietary information can include intellectual property such as patents, trademarks, and copyrights, as well as business plans, databases, records, employment information, and any unpublished financial data and reports. Unauthorized use of this information violates this University policy.

D. Timely and Truthful Public Disclosures

Employees involved in the preparation of reports and documents (and information included therein) filed with or submitted to federal, state, and local authorities by the University are required to make disclosures that are full, fair, accurate, timely, and understandable. They may not knowingly conceal or falsify information, misrepresent material facts, or omit material

facts. These same obligations also apply to other public communications made by the University.

To ensure transparency, sound business practice, and compliance with law, and because of its obligations as an organization entrusted with government and private funds, the University depends on rigorous observance of internal control, generally accepted accounting principles, financial recordkeeping and reporting policies, and on the maintenance of internal audit and compliance mechanisms. University employees must record, allocate, and document revenue, expenditures, time, effort and other information in a way that is accurate, clear, complete and timely.

V. Administration

A. In General

This Code of Ethical Conduct has been adopted by the Board of Trustees of the University of Arkansas and is to be administered at the direction of the President. Each campus or unit may implement policies that supplement this policy, but each must be approved by the President. In the event of a conflict between this policy and those of a campus or unit, this policy will control.

B. Attestation

Employees will be asked to sign a statement at the start of employment declaring that they have read, understood and will comply with this policy. Each campus or unit will establish procedures for the method of obtaining and maintaining these statements.

C. Reporting Known or Suspected Violations

Employees are required to report promptly any known or suspected violations of this Code to the University's administration, the campus or unit compliance officials, the Office of the General Counsel and/or the Internal Audit Department. No retaliatory action of any kind will be permitted against anyone making such a report in good faith. The University will strictly enforce this prohibition.

D. Accountability for Violations

If this Code has been violated, including (without limitation) by failure to report a violation or by withholding information relating to a violation, the offending employee may be disciplined, with penalties up to and

including termination of employment. Violations of this Code may also constitute violations of law and may result in criminal and/or civil liability for the offending employee and the University. All employees are required to cooperate in internal investigations of possible misconduct.

VI. Guidance

All employees must work together to ensure prompt and consistent enforcement of this Code of Ethical Conduct. In some situations, it may be difficult to know if a violation has occurred. Because it is impossible to anticipate every situation that will arise, it is important to be able to approach a new question or problem with confidence. Employees having questions about their obligations under this Code should consult the University's administration and/or the Office of the General Counsel.

January 24, 2014