



FITCBURG HOUSING AUTHORITY

Department of Human Resources



Policy Name:	Anti-Fraternization & Conflict of Interest Policy	Policy Number:	2021-002
FHA Board Approval Date:	April 28, 2021	Effective Date:	June 1, 2021
<input checked="" type="checkbox"/> New		Amends	
Rescinds			
Related Documents/Policies:	1. Personnel Policy 2. Harassment, Discrimination and Sexual Harassment Policy 3. State Conflict of Interest		

1. Preamble

(i) The FHA understands that person-to-person relationships can be complex, dynamic and at times complicated. However, the Authority and its employees have a duty to not engage in relationships which could jeopardize the functions of the agency and question the motives of the employee in question. (iii) If such relations exist, it is the duty of the employee to properly disclose any real or potential conflict so the FHA can take steps to ensure that the impacted parties or the public do not question the fairness of any administrative and/or maintenance actions. (iii) Above all else, disclosure of potential conflicts, and avoiding making decisions that impact those with whom the employee has had a relationship (as defined in this policy) are paramount to avoid accusations of unfairness, favoritism and/or harassment.

2. Purpose of Policy

The Fitchburg Housing Authority adopts this anti-fraternization and conflict of interest policy in order to maintain a comfortable and safe work and residential environment and to protect residents, employees, and the Authority from potential issues and lawsuits concerning sexual harassment, conflicts of interest, appearances of favoritism, and to maintain the highest possible employee and resident morale.

3. Definitions

A. Fraternalization” in this policy refers to (a) dating, romantic involvement, intimate, sexual/physical relationship, (b) a close personal relationship (undue familiarity) between two people but not one based merely upon physical intimacy or (c) current or prior business relationships.

B. A conflict of interest can arise when an employee of the FHA interacts in their official capacity with a contractor, tenant or fellow employee and such FHA employee has a prior or current personal or business relationship with such person(s) and their official actions could be perceived as favoritism to such person(s) or they have taken official actions (or acts of omission) in violation of FHA policies and procedures.

4. Applicant, Tenant and Contractor Relations Standards & Procedures

(A). (i) Fraternalization between employees, contractors and residents is discouraged and employees must avoid conflicts of interest or the perception of any conflicts. Any violations of this policy, including a failure to disclose, may result in position transfer, and disciplinary action including employment termination if such relationship violates the following three areas:

1. FHA's policies- or mandated HUD or DHCD standards regarding - the following:
applicant processing, transfers, and/or rent determinations.
2. FHA policies and procedures regarding work performance, confidentiality, responding to work orders and responding to lease violations including lease or voucher terminations.
3. Massachusetts statutory and regulatory ethical and conflict of interest standards.

(ii) The list above is not exclusive. There could be issues and actions outside of those listed above. When an employee believes there could be an issue with fraternization or an appearance of a conflict of interest they are encouraged to speak with their supervisor and/or FHA Human Resources.

(B). (i) Supervisors and employees that are prohibited from managing, directing or undertaking the processing of: housing (public and voucher) applications, customer complaints, rent calculations, lease compliance issues, transfer requests and other related matters for those persons in which they have, or had, a relationship as defined under Section 3 (A)(i) (a) and (c). Such employees must also avoid conflicts of interest as defined under Section 3 (B) of this policy. (ii) If such employees have had prior relationships which meet the definitions outlined in Section 3 of this policy and/or they have a close personal relationship with such persons, they should immediately notify their supervisor for approval to proceed or to transfer the file.

(C). (i) Employees that conduct hearings concerning applicant status, disability status, transfer requests or grievances involving tenancy (including those under the FHA's voucher programs) must disclose any fraternization and/or conflicts of interest they may have with such persons. (ii) Such impacted employees are strictly prohibited from directing such hearings if they have a former or current relationship which meets the definitions outlined under Section 3 of this policy, unless disclosed and written permission is granted by the Office of the Executive Director. (iii) Participation in such hearings will be decided by the Office of the Executive Director.

(D). (i) Maintenance employees and/or those employees that oversee maintenance operations are strongly discouraged from conducting non-emergency work orders and inspections in the units of apartments of tenants which they have had prior or current relationships which meet the definitions contained in Section 3 (A)(i)(a) and (c) and Section 3 B with such persons. (ii) If such prior or current relationships exist, they must inform their immediate supervisor and Human Resources. In such situations another employee should conduct such work and inspections. (iii) If disclosed relationships significantly impact their work productivity as defined by management, then the employee in question could be reassigned or terminated if such relationships negatively impact work productivity standards.

5. FHA Employee-Tenant or Voucher Participants

(A). It is the policy of the FHA to reach out to its tenants and voucher holders when employment opportunities arise. The FHA does not prohibit the hiring of such persons.

(B) (i) FHA employees who are also tenants or voucher holders from one of the FHA's housing programs shall have their applications, rent determinations, and other administrative procedures impacting their participation in the applicable housing program overseen by an FHA employee outside of that housing program. (ii) If this cannot be done in a manner that is efficient or productive then the Deputy Director shall review such administrative procedures to determine if FHA and program guidelines and procedures were followed.

6. Employee-Employee Relationships

(A). (i) Fraternalism as defined under this policy between employees is strongly discouraged. Any such relationship must only occur during non-work hours and off Authority premises. (ii) The Authority prohibits employees from engaging in public displays of affection or romantic liaisons at any time while on premises or during working hours while off-premises.

(B). (i) Employees who become personally involved with co-workers should be aware that serious risks and consequences can develop as a result of the relationship's effect on business matters. (ii) Any relationships involving employees that appear to compromise the integrity of supervisory authority or that may be perceived as generating partiality, unfairness, or disruption are considered against this policy. Keep in mind that unwanted sexual advances and requests for sexual favors are already prohibited under the Authority's Sexual Harassment and other related policies.

(C). Supervisors, including those that manage and/or direct other employees, are prohibited from having relationships with their subordinates that meet the definition of fraternization.

7. Quid Pro Quo Transactions Strictly Prohibited.

(A) (i) If an employee, while conducting official FHA business, engages in a quid pro quo transaction with an applicant, tenant, voucher holder or vendor he/she will face immediate disciplinary action which could include suspension or termination. (ii) Such employees found to have engaged in a quid pro quo transaction could also be found to have violated Massachusetts or Federal law standards including both civil and criminal.

(B) Quid Pro Quo - for purposes of this policy - is defined as the exchange of promises for official FHA action. The promise could include financial, sexual, or any other kind of support for the expectation of receiving a benefit from the FHA that would either normally not occur or would occur.

8. Complying with Policy

A. (i) If an employee believes that they have a relationship that meets the definitions contained in this policy they shall report this to the Office of the Executive Director which shall make a written determination if such relationship poses a conflict. (ii) Such information shall remain confidential and will be reported in a separate file outside of the employee's personnel file. (iii) Relationship disclosure forms will be prepared and updated as required.

B. (i) If it is determined that an employee has a relationship that meets the definition of fraternization and/or one that creates a conflict or an appearance of a conflict of interest then management will provide written guidance to ensure that FHA policies and procedures are adhered to and followed. (ii) If this cannot be done then the employee will be notified in writing that such relationship must be terminated.

9. Violations of Policy

A. It is the duty of each employee to disclose potential conflicts as outlined in this policy. Failure to disclose a relationship which could impact an employee's duties could be cause for disciplinary action.

B. If the FHA determines that a relationship interferes with the work environment or otherwise is not in the best interests of the Authority, appropriate action, including remedial measures such as counseling and reassignment of duties and/or workstations could result.

C. If an employee engages in actions which are prohibited in this policy, they could face disciplinary responses up to and including termination in order to minimize problems relating to harassment, discrimination, conflicts of interest, safety, security, or morale.

10. FHA Board Approval Authorization

Motion to Approve Anti-Fraternization & Conflict of Interest Policy

WHEREAS, The FHA understands that person-to-person relationships can be complex, dynamic and at times complicated. However, the Authority and its employees have a duty to not engage in relationships which could jeopardize the functions of the agency and question the motives of the employee in question.

WHEREAS, if such relations exist, it is the duty of the employee to properly disclose any real or potential conflict so the FHA can take steps to ensure that the impacted parties or the public do not question the fairness of any administrative and/or maintenance actions.


WHEREAS, disclosure of potential conflicts, and avoiding making decisions that impact those with whom the employee has had a relationship with, are paramount to avoid accusations of unfairness, favoritism and/or harassment.

THEREFORE, BE IT RESOLVED, that the FHA Board of Commissioners adopts the Anti-Fraternization & Conflict of Interest policy.



FHA Board Members Present: 4 (3 needed for quorum) FHA Members Absent 1
Votes for Approval 4 Votes Denying Motion 0 Abstentions: 0
Quorum (Three Members): yes (Yes / No)
Signatures of Fitchburg Housing Authority Members Approving this Motion:


Linda Byrne FHA Chair

4-28-2021
Date


Douglas M. Bushman
FHA Executive Director & Board Secretary

4-28-2021
Date


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