

# Employee Code of Ethics

It All Rides on Integrity



# Table of Contents

<b>The Employee Code of Ethics – Integrity Applies to All of Us</b>	<b>1</b>	Avoiding Potential Conflicts	19
<b>A Message from the Chairman of the Board of Commissioners and the Executive Director</b>	<b>2</b>	Special Permission for Outside Employment	20
<b>Ethics &amp; Integrity: The Fundamentals</b>	<b>4</b>	Political Activity	20
The Port Authority Expects Your Best, At All Times	4	Moving on After Port Authority Employment	21
Why Does the Code Matter?	4	Post-Employment Guidance	21
What is Expected of You?	5	<b>Meeting Safety, Health and Environmental Obligations</b>	<b>22</b>
Specialized Requirements	5	Impairment and Substance Abuse	23
What is Expected of Managers and Supervisors?	5	Prioritizing Physical and Mental Wellness	23
Training and Development	6	<b>Confidentiality and Open Government</b>	<b>24</b>
Get Guidance If You're Unsure	6	Transparency	24
Speak Up and Be Protected	6	Confidentiality: Our Obligation	24
Accountability	7	What Information Must Be Protected?	24
<b>Core Responsibilities For All Employees</b>	<b>8</b>	Sharing Confidential Information	25
<b>Maintaining a Respectful Workplace</b>	<b>10</b>	Securities Laws	26
Treat Everyone with Dignity and Respect	10	Procurement	26
Sexual Harassment is Prohibited	11	Speaking on Behalf of the Port Authority	26
Report Harassment and Discrimination	11	<b>Speaking Up and Protections from Retaliation</b>	<b>27</b>
Stopping Bullying and Workplace Violence	12	What is Retaliation?	27
The Special Obligations of Managers and Supervisors	12	What Kinds of Activity Are Protected from Retaliation?	27
<b>Financial Integrity and Preventing Improper Payments</b>	<b>13</b>	Good Faith Reporting	27
Financial Integrity	13	<b>How To Get Guidance and Report Concerns</b>	<b>28</b>
Use of Port Authority Property	13	If You Have a Question: Ask	28
Bribes and Improper Payments	14	If You Have Information: Report It	28
Gifts or Favors <i>From</i> Business Partners	14	Where To Go	28
Questions and Reporting Unsolicited Gifts	15	<b>Reporting Channels and Additional Resources</b>	<b>29</b>
Gifts or Favors <i>To</i> Business Partners	16	<b>What Happens After You Report</b>	<b>30</b>
Gifts <i>Between</i> Employees	16	Confidentiality	30
<b>Avoiding Conflicts of Interest</b>	<b>17</b>	Acknowledgment	30
The Basics	17	Retaliation is Prohibited	30
Employment of Relatives	18	Cooperation with Investigations	30
Offers of Employment	19	Commitment to Ethics and Integrity	30

## The Employee Code of Ethics – Integrity Applies to All of Us

The ethical principles and policies that set the standards by which Port Authority employees fulfill their responsibilities were consolidated in January 2018 and published as the Port Authority Employee Code of Ethics, providing employees with a comprehensive, “one stop shop” for guidance on their ethical obligations. The Code of Ethics you are now reading includes new and updated policies that have been issued since 2018.

In any organization, a culture of integrity starts with a commitment at the very top. Before you review this Employee Code of Ethics, please read the following letter from our Chairman and Executive Director on the commitment of the Port Authority Board of Commissioners and senior management to foster and support the agency’s commitment to a culture of integrity.



## A Message from the Chairman of the Board of Commissioners and the Executive Director



**Kevin J. O'Toole**  
Chairman



**Rick Cotton**  
Executive Director

For more than a century, the employees of the Port Authority have demonstrated extraordinary dedication to the agency's mission – to keep the region moving. We get people and goods where they need to go, be it by air, land, rail or sea. Our work touches the lives of millions of people each day, and along with this vital purpose comes a deep responsibility: to honor the public trust, we must conduct ourselves honestly and ethically.

When the agency launched the Employee Code of Ethics in 2018, we said, **“it all rides on integrity”** – and that's still true. Integrity must be the foundation for all we do as we strive to meet the demands of a growing region by embarking on an unprecedented program to build the next generation of world-class infrastructure. **What we do is enormously important, but nothing is as important as how we do it.**

That notion has been further underscored by the unprecedented circumstances of the last several years. We have collectively been challenged to adapt to new ways of doing business, to reflect upon issues of equity, belonging and justice, and to view our work through the lens of a changing world. We must simultaneously meet these challenges head-on, advance our Priorities and uphold our Standards. We must ensure that we are unimpeachable in our conduct.

This Employee Code of Ethics outlines the principles that reflect our values and set the standards for ethical behavior in interactions with colleagues, members of the public, customers and business partners. No matter where we work or what we do, it is up to each of us to make sure our behavior and decisions live up to these standards.

While our values and principles are enduring, the Employee Code of Ethics is regularly updated to ensure it remains relevant and aligned with agency policy. This edition's updates to the Employee Code of Ethics reflect new or updated policies on sexual harassment; on discrimination based on grooming, garb or hairstyles; on bullying and workplace violence; on political activities; on social media use; on conflicts of interest; on gifts; on offers of employment; and on post-employment obligations.

As a Port Authority employee, it is important that you read, understand and fully comply with the Employee Code of Ethics. And if you are not sure what is expected of you, you are expected to ask. This is to ensure that all our decisions at work or affecting our work in support of our public mission are guided by our responsibility to act with integrity and the highest ethical standards.

This edition's updates also reflect updated agency policy on reporting misconduct and protection against retaliation. As an agency employee, you are expected to conduct your work with integrity, and to **speak up** and report behavior that you know or reasonably believe conflicts with our Code, our policies or applicable laws. We promise that if you report a concern in good faith, we will fully investigate the matter and you will be protected from any retaliation, even if an investigation reveals no wrongdoing or the report cannot be corroborated.

**When you do the right thing and stand up for integrity, we will always stand with you.**



## Ethics & Integrity: The Fundamentals

### The Port Authority Expects Your Best, At All Times

Every day, Port Authority employees come to work ready to exceed expectations and to overcome challenges. This Code sets out the principles which underlie how we work — the steps we take to ensure that we are acting with integrity and honesty; that we are treating each other with respect and decency; and that we are holding ourselves accountable for our actions.

This Code sets forth a demanding and rigorous set of ethical standards. The Code is available on the Port Authority's external website (as well as our internal website) so that everyone can see the high standards that we require of ourselves and of each other.

### Why Does the Code Matter?

Integrity is fundamental to everything we do, every day. The Port Authority is a public agency charged with a critical mission: to keep the region moving. To achieve that mission, the agency has established six standards that govern how we achieve our mission. **Integrity is the very first of these standards.** Without integrity, we could not maintain the public's trust and achieve our mission. Regardless of your individual job responsibilities, you play an important role in the success of the Port Authority's mission. This Code provides you with the guidance, information and support you need to make sure that you can perform your job responsibilities with integrity.





## What is Expected of You?

This Code is the foundation of our commitment to ethical behavior. The Port Authority expects you to read and understand this Code, to comply with the Code and the various detailed policies upon which it is based, and to participate in all required training. These policies (along with this Code) are available to you on the Port Authority's internal website, under [“Employee Code of Ethics – Employee Code of Ethics, Rules & Policies.”](#) If you don't have ready access to an agency computer and need a copy of a policy, please let your supervisor or business manager know or contact Human Resources to get copies of any policies. Portions of these detailed policies will be referred to in the integrity trainings that you will receive.

Everything you are about to read in this Code applies to all employees of the Port Authority, including employees of the Port Authority's subsidiaries, namely the Port Authority Trans-Hudson Corporation (“PATH”), New York New Jersey Rail, LLC, the Newark Legal and Communications Center, Urban Renewal Corporation, and the New York and New Jersey Railroad Corporation. When this Code refers to the Port Authority, it means all of these entities. When it refers to Port Authority employees, it refers to the employees of all of these entities.

This Code also applies regardless of whether you are represented (covered by a collective bargaining agreement or union contract) or non-represented. In the highly unlikely event of a conflict between a specific provision of this Code and the terms of your contract, the terms of your contract will control.

## Specialized Requirements

While we all share the foundational ethical obligations described in this Code, certain employees are subject to additional obligations. For example, members of a procurement team are required to adhere to specific limits on what they can communicate and to whom — all to ensure the integrity of the procurement process. You must follow all ethical requirements that are particular to the job that you do, and you can expect targeted training on those requirements so that there is no ambiguity about the specialized integrity rules that govern your conduct.

## What is Expected of Managers and Supervisors?

Being a manager or supervisor is a privilege. It requires leadership and comes with special responsibilities to support and create a culture of integrity and compliance. Leaders across the agency must clearly and regularly communicate the importance of complying with the Code, and they must demonstrate their personal commitment to integrity and ethical conduct through their own actions.

Among the ways a leader actively demonstrates ethical conduct is by considering whether others are acting ethically, including when interviewing candidates, formally evaluating job performance and informally providing feedback.

Being a leader also requires making time for employees when a workplace concern is raised and ensuring workplace concerns are appropriately reported, addressed or escalated as the situation requires, and ensuring there is no retaliation.

**Scan the QR code to access information from our myPA site:**

Employee Code of Ethics & Related Rules



### Scan the QR code to access information from our myPA site:

Employee Code of Ethics – Mandatory Integrity Training



Employee Code of Ethics – Reporting Misconduct & Ethics Questions



## Training and Development

Every new employee will receive specific training to introduce and explain these obligations, and every new manager and supervisor will receive training to reinforce their special obligations and responsibilities.

Over the course of your time at the Port Authority, you will also receive regular training on the subjects covered in this Code and how to build and maintain a respectful workplace.

Some of the sessions will focus in detail on areas that present recurring questions, like conflicts of interests, handling confidential information, and the zero-tolerance gifts policy. Your time is valuable, and so is the integrity training that we offer. The purpose of integrity training is simple: to ensure that there can be no misunderstanding about the meaning of the Code, and the importance of complying with it.

You will be notified when you have been enrolled in training, and you can access the Ethics and Integrity Training Portal from the Port Authority’s internal website, at [“Employee Code of Ethics – Mandatory Integrity Training.”](#)

## Get Guidance If You’re Unsure

A key purpose of the Code is to assist you in identifying when and how to seek guidance. Seeking guidance is not unusual and can help you make the right decision. If you’re not sure about what this Code requires of you in a given situation, you are expected to ask. There can never be an excuse or justification for violating this Code. And no one, no matter who they are, can or should tell you otherwise. Never feel embarrassed or reluctant to ask for guidance.

There are multiple ways to seek help and get guidance on ethical questions or other workplace concerns. A full listing of these resources appears on page 29 of this Code, and complete contact information for those who can provide guidance or answer your questions is available on the Port Authority’s internal website, under [“Employee Code of Ethics – Reporting Misconduct & Ethics Questions.”](#) You can also scan the QR code on the left side of the page to reach a full listing of resources to seek help and get guidance.





## Speak Up and Be Protected

Building a culture of integrity and compliance can only happen where everyone is free to speak up without fear of any retaliation or reprisal. The Port Authority prohibits all acts and threats of retaliation against employees who speak up.

This Code includes a duty to report behavior that you know or reasonably believe conflicts with our Code, our policies or applicable laws. If you know something, or learn something, or see something, you need to say something. Speaking up is an obligation we owe not just to the agency, but to each other. Problems cannot be identified and addressed unless we tell someone about them. And if you do — we pledge that you will be protected from any retaliation.

Whether you have a question or a concern about a workplace issue or suspected illegal or unethical conduct, we want you to speak up, and we've made it easy to do so. You have colleagues who are specially attuned to workplace issues and concerns. We refer to these resources as the **Port Authority Reporting Channels**. You can contact any

Port Authority Reporting Channel — anonymously or confidentially — and you are not obligated to report concerns to your manager or supervisor before speaking up. See page 29 for complete contact information.

You can be sure that all concerns will be carefully, promptly, discreetly, objectively and thoroughly reviewed. And, unless you have reported anonymously, you can be sure that you will receive acknowledgment of receipt of your report unless it would compromise the integrity of an investigation.

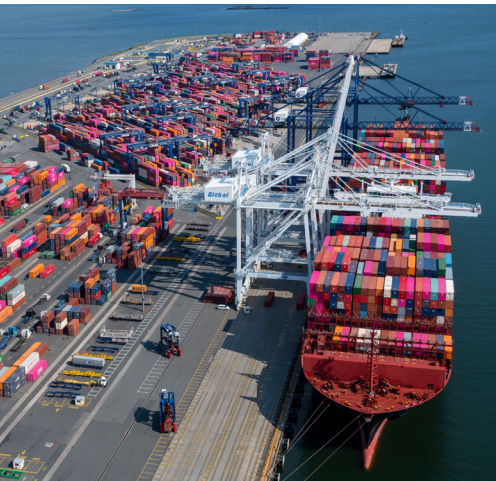
Once a concern is raised, all of us have a duty to be honest and forthcoming during any follow-up investigation. Everyone must cooperate fully and provide complete and truthful information. We all must also take care to preserve documentation or other materials related to an investigation.

## Accountability

The public expects integrity from us. And that is what we expect from each other. Violations of the law or this Code are serious matters. They may result in disciplinary action, up to and including termination of employment and may also result in civil or criminal penalties.

Disciplinary action, again, up to and including termination of employment, will also apply to anyone who retaliates against or threatens to retaliate against those who report behavior that is known or reasonably believed to conflict with our Code, our policies or applicable laws. See page 27 for more information about protections against retaliation.

## Core Responsibilities For All Employees: An Overview



As employees of a public agency, we must have the public's trust. Trust is earned. And it is earned one person at a time and one day at a time. The Port Authority is the sum total of all of our individual actions. The Core Responsibilities outlined in this section and explained further in the following pages are fundamental pillars that underlie how we work with integrity, and they are based on Port Authority policies that already exist. You can expect integrity training that will further explain and reinforce these policies.

### ***Maintaining a Respectful Workplace***

- > Follow the inclusionary workplace policies of the Port Authority.
- > Do not discriminate on the basis of any of the categories or characteristics protected by law or Port Authority policies.
- > Do not engage in sexual harassment.
- > Treat everyone with dignity and respect at all times.

### ***Financial Integrity and Preventing Improper Payments***

- > Ensure integrity in all financial and contract transactions, including by making certain that business and financial records you create, approve or review are accurate and complete to the best of your knowledge.
- > Never solicit or accept improper payments or favors for work that the Port Authority does.
- > Comply with our zero-tolerance gift policy.
- > Use Port Authority property only for Port Authority business.

### ***Avoiding Conflicts of Interest***

- > Do not use your Port Authority position to achieve personal financial gain or other advantage for yourself or anyone else and avoid any appearance of doing so.
- > Maintain a level playing field for all employees, without favoritism or bias (no involvement in employment decisions involving relatives or close personal relationships).
- > Avoid conflicts of interest outside of work and request prior permission before engaging in outside employment.
- > Know and understand the post-employment obligations applicable to all employees.

## ***Meeting Safety, Health and Environmental Obligations***

- > Always follow occupational safety, environmental and health standards.
- > Prioritize mental and physical wellness and know there is help if you or a colleague needs assistance.
- > Do not work if you are impaired by alcohol or other substances. We all depend on each other for safety, and we have a duty to report impairment by drugs, alcohol or substance abuse in the workplace.

## ***Confidentiality and Open Government***

- > Keep confidential information confidential.
- > Maintain required business records and cooperate as necessary on requests for public access to agency records or legal discovery.
- > Do not speak on behalf of the Port Authority unless authorized by the Office of the Chief Communications Officer.

## ***Speaking Up and Protections from Retaliation***

- > Speak up if you see or learn of conduct that you know or reasonably believe conflicts with our Code, our policies or applicable laws. You will be protected from retaliation for speaking up even if an investigation determines nothing improper occurred.
- > Do not retaliate or threaten to retaliate against anyone because they have made a report, refused to participate in suspected improper or illegal activity, participated in an investigation, or exercised other workplace rights protected by law.
- > Report and take reasonable steps to prevent acts or threats of retaliation by others. Multiple resources are available for you to voice and express workplace concerns, and you also have the option to report anonymously.



## ***Maintaining a Respectful Workplace***

### **The Port Authority prohibits discrimination on the basis of:**

- > race
- > ethnicity
- > color
- > national origin
- > religion
- > sex and gender (including pregnancy, childbirth or related medical conditions)
- > sexual orientation, gender identification or expression
- > age
- > actual or perceived disability
- > genetic information
- > marital, partnership, family, or parental status
- > active service in the armed forces
- > veteran status
- > arrest and/or conviction records
- > and any other category or characteristic protected by federal law

Port Authority employees depend upon each other every day. And on behalf of the Port Authority, we all interact with customers, business partners, suppliers, vendors, consultants, and numerous other stakeholders. In all instances, and in all interactions, we expect Port Authority employees to treat others with dignity and respect — and with an understanding that we all benefit from a diverse workforce and from respectfully interacting with a wide range of people who bring different backgrounds, life experiences, ideas, and opinions to work. We are committed to building and maintaining a safe, inclusive and fundamentally respectful atmosphere — where we all add value, where we all can be our authentic selves, and where we all can succeed.

Diversity, Equity and Inclusion is one of the six standards by which the Port Authority does its work. We meet this standard in a number of ways, including by prohibiting discrimination on the the basis of categories or characteristics protected under Port Authority policy or federal law. The list of protected categories or characteristics is printed in the left margin.

Simply put, there is no place for discrimination in our workplace or in our actions. There can be no discrimination in hiring, promotion, training, compensation, discipline or any other terms or benefits of employment. And there can be no discrimination in any job-related decisions.

### **Treat Everyone with Dignity and Respect**

No one should be targeted for being who they are. We have extended our commitment to a workplace place free of discrimination by also prohibiting discrimination or harassment for wearing hairstyles, grooming or garb associated with racial, religious, gender, ethnic or cultural characteristics or categories.

While technological advances have produced new forms of communication, all interactions with fellow employees, as well as anyone in the public, must be handled in a respectful and courteous manner. Social media may not be used to ridicule, malign, disparage, harass or promote discrimination against others on the basis of any category or characteristic protected under Port Authority policy or applicable law.

Ours is a proudly inclusive workplace. We honor and celebrate diversity.



## Sexual Harassment is Prohibited

The Port Authority prohibits sex discrimination of any kind, at all levels of the agency. That means employment decisions — about raises, promotions, work assignments, discipline, or anything else — can never be made with any reference whatsoever to sex, sexual orientation, gender identity or expression, or pregnancy.

It also means that sexual harassment is not tolerated. Sexual harassment is a form of discrimination on the basis of sex or gender, and it can take several forms, including unwelcomed sexual contact, requests for sexual favors, inappropriate sexual conduct or offensive remarks or images. It includes basing decisions on whether an employee submits to or tolerates unwelcome activity of a sexual nature (including requests for dates or sex) to avoid negative job-related action or to obtain a job-related benefit.

Another form of sexual harassment occurs when the work environment (which includes remote work interactions, work-related outside events or business trips) is intimidating, hostile, or offensive to employees based on their sex, sexual orientation, gender identity or expression. Some examples of an improper workplace environment are the visible presence of sexual materials (like sexually explicit images or videos); vulgar, lewd, or leering “jokes” or comments; emails, texts, voice mails, or drawings of a sexual nature or based on sex stereotypes.

As part of the agency’s commitment to gender equality and to creating a respectful workplace, all employees will be expected to complete training on recognizing and stopping sexual harassment in all its forms.

## Report Harassment and Discrimination

The Office of Equal Employment Opportunity Compliance (EEO) serves as the primary resource for every employee to report or ask questions about discrimination and harassment based on a protected category or characteristic and coordinates a team of EEO Liaisons located across the Port Authority. The name and contact information for EEO Liaisons can be found on our internal website, at [“Employee Code of Ethics — Reporting Misconduct & Ethics Questions.”](#)

Agency non-discrimination policies also prohibit retaliation against any employee for reporting discrimination or harassment based on any category or characteristic protected under our inclusive workplace policies.

**Scan the QR code to access information from our myPA site:**

Employee Code of Ethics – Reporting Misconduct & Ethics Questions





## Stopping Bullying and Workplace Violence

Bullying, abusive behavior and workplace violence are also prohibited, and they are prohibited regardless of whether they are based on one of the protected categories or characteristics discussed above. Violence, or any threatening or abusive behavior, is wholly and entirely inconsistent with our values. Such behavior has no place in the workplace, on or around Port Authority property or wherever an individual is conducting Port Authority business.

While distinct rules apply to law enforcement officers, guns, knives, explosives, or any other weapons have absolutely no place in the workplace or on Port Authority property.

You may report instances of bullying or workplace violence to any of the Port Authority Reporting Channels, as well as your manager or supervisor, but if you feel that you or someone else is in imminent danger of physical harm, call the Port Authority Police Department or local law enforcement immediately.

## The Special Obligations of Managers and Supervisors

Managers and supervisors have heightened duties and responsibilities. They are expected to be attentive and respectful listeners — aware of the way employees behave at work, and sensitive to changes in performance or demeanor which could be caused by workplace problems.

Managers and supervisors must communicate that there is no tolerance at the Port Authority for discrimination, harassment, bullying, violence or retaliation. And they should work to foster an open and transparent atmosphere where employees are willing to raise concerns, even potentially uncomfortable ones. Without such concerns being reported, the agency cannot take appropriate action to resolve problems before they interfere with the agency's ability to achieve its core mission and its priorities.

Managers and supervisors must take appropriate steps to promptly elevate and respond to complaints, take reasonable steps to prevent acts or threats of retaliation, including acts and threats of retaliation by others, and they must promptly report complaints of discrimination including sexual harassment to the Office of Equal Employment Opportunity Compliance. When in doubt, no matter the concern or issue, managers and supervisors can always contact the Port Authority Reporting Channels listed on page 29 of the Code.

## ***Financial Integrity and Preventing Improper Payments***

### **Financial Integrity**

It is fundamental to the Port Authority's credibility that it properly accounts for its business assets and operations, and that it accurately and timely reports on its financial condition. The public must be able to trust that Port Authority will make sure that all financial and contractual transactions are managed with the utmost integrity.

Employees with responsibility for managing expenses, financial transactions and contracts must understand the nature and context of items that they approve and perform their jobs in a manner which can help the Port Authority to comply with its reporting obligations.

- > You should not approve items that you are not authorized to approve;
- > You should sign or approve documents only if they are accurate to the best of your knowledge — always require appropriate documentation or backup;
- > You should compile and present information and data (including business expenses) in an accurate manner, to the best of your knowledge; and
- > You should be honest and transparent in recording financial matters involving the Port Authority and never falsify data or records.

### **Use of Port Authority Property**

Employees have access to Port Authority property for work-related purposes — to get things done for the Port Authority. Use Port Authority property, including vehicles, computers and Port Authority stationery and other resources, only for approved Port Authority purposes.

This said, some minimal personal use of Port Authority phones and computers is permitted, within reason, to assist you in managing personal tasks during working hours. But it is expected that this type of use will be extremely limited, must not adversely affect the performance of official duties or work performance, must not be disruptive of others, and will not cause the agency to incur additional cost. And you can never use Port Authority resources or property for any illegal or prohibited purposes, or to try to generate income for anyone other than the Port Authority.

The Port Authority reserves the right, in accordance with the law, to monitor the use of its property — including by monitoring Port Authority-provided computers and telephones — and there is no expectation of privacy while using agency resources.



## Bribes and Improper Payments

It is critical that we do business on the merits, and only on the merits. You should never engage in conduct that allows anyone to even begin to suggest that your honor and your integrity were sold — that you accepted something (like a favor, gift, or money) to influence how you do your job.

Receiving, offering, or giving a bribe is a very serious crime under federal, state, and local law. You must rigorously adhere to the law. Anything intended to influence how you do your job or taken in return for an official act can be a bribe and subject you to criminal penalties. Contact the Office of Inspector General immediately to report any bribes, improper payments, offers of improper payments, or suspected “red flags” about such payments.

The Port Authority of NY & NJ  
Office of Inspector General  
P.O. Box 2018  
Hoboken, New Jersey 07030

Phone: (973) 565-4340

Email: [InspectorGeneral@panynj.gov](mailto:InspectorGeneral@panynj.gov)

### What is a “Gift” under Agency Policy?

A gift is any item, service, gratuity, favor, discount or other thing of value that (i) provides a tangible, intangible or perceived benefit; and (ii) is worth more than a nominal amount.

## Gifts or Favors From Business Partners

In the private sector, being offered business gifts and entertainment may be commonplace. But the Port Authority is a public agency, and its expectations go beyond avoiding bribes and other violations of law. Even gifts that do not seem to be intended to influence the performance of your Port Authority responsibilities can create an appearance of impropriety and undermine public confidence in the agency. This is why the Port Authority has a strict, zero-tolerance policy against gifts, gratuities and favors from vendors and any other third parties with which the agency does business, or which seek to or are likely to do business with the agency. In general, if a business partner (or potential business partner) offers you something — even something as simple as offering to buy you lunch — you will need to say no, tactfully but firmly.

- > Neither you nor your immediate family members may request or accept a “gift” from any individual or entity that does business with or which seeks to or is likely to do business with the agency.
- > Neither you nor your immediate family members may request or accept a gift intended to influence or reward you in connection with the performance of your official duties.

There are some highly limited circumstances in which things of nominal value are acceptable. For example, employees may accept free items or discounts generally available to the public, to government employees, or to all workers at their facility or office complex. Employees may also accept modest snacks or non-alcoholic beverages from a business partner served at off-site meetings, but employees may not accept meals, alcohol, transportation, lodging or entertainment. If you are unsure, you can also contact the Office of Ethics and Compliance for advice.

Another category of exception exists for employees who are offered waivers of registration expenses, continuing education credits, or free attendance in connection with an event, speaking or participating at a conference, or joining a business meeting or other event — but in these circumstances, employees must receive written approval from the Office of Ethics and Compliance before accepting.

**You can contact the Office of Ethics and Compliance by email at [EthicsCompliance@panynj.gov](mailto:EthicsCompliance@panynj.gov)**

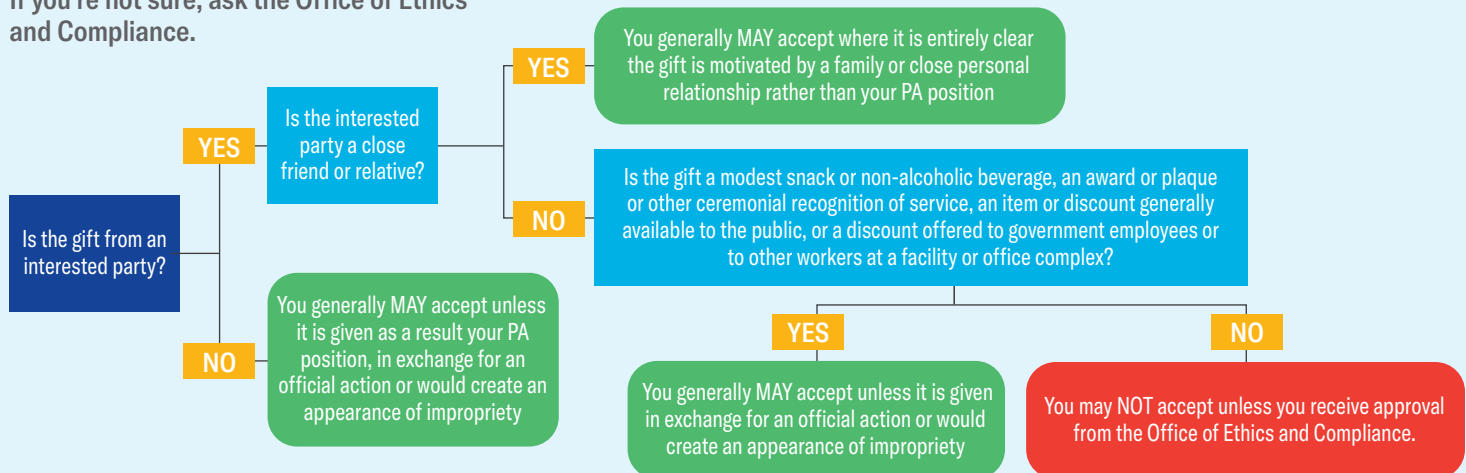
## Questions and Reporting Unsolicited Gifts

If you receive a prohibited gift or other item — even a perishable item — you must contact the Office of Ethics and Compliance to report the item and facilitate its return.

This decision tree can help you decide whether an item, service, discount, or favor from a business partner is prohibited under the zero-tolerance gift policy. If you're not sure whether or how the policy applies, ask! The Office of Ethics and Compliance is always available to answer questions or to provide advice or guidance regarding the zero-tolerance gift policy.

## Step By Step Gift Analysis

If you're not sure, ask the Office of Ethics and Compliance.



**Scan the QR code to access information from our myPA site:**

Employee Code of Ethics – Employee Code of Ethics, Rules and Policies



## **Gifts or Favors To Business Partners**

Although in business dealings it may sometimes appear courteous to provide modest gifts or gratuities, small payments are sometimes offered for bad reasons – to improperly curry favor, or to unlawfully influence a person’s actions. To avoid any appearance of impropriety, under the Port Authority’s zero-tolerance policy you may not offer, pay, or provide anything of value in connection with a business transaction. In addition, you may not offer gifts or gratuities to business partners or potential business partners.

There are some highly limited exceptions. For example, employees may generally provide Port Authority-branded promotional merchandise and approved business meals.

The policy on permitted business meals is also available on the Port Authority’s internal website at [Employee Code of Ethics – Employee Code of Ethics, Rules and Policies](#).

## **Gifts Between Employees**

Friendships at work make the hours spent in the workplace happier and more purposeful. When it comes to giving gifts to other employees in the workplace, they must be voluntary, reasonable in relation to the occasion of the giving, relatively modest in value and appropriate for a business environment.

To avoid the appearance of favoritism or bias, there are additional restrictions on giving or receiving gifts for employees who are involved in an investigation, audit, disciplinary proceeding, grievance, or request for advice or guidance, or who negotiate, interpret, or enforce collective bargaining agreements.

Gifting to managers and supervisors may also create the appearance of inappropriate pressure or influence – even where none is intended. Managers and supervisors cannot ask for gifts for themselves or anyone else from the employees they supervise, and they may not request that employees share the cost of a gift for themselves or another employee. Managers and supervisors may only accept gifts from other employees that are both unsolicited and only for major life events such as marriage, engagement, bereavement, retirement, or the arrival of a child.

## Avoiding Conflicts of Interest

As an employee of the Port Authority, you have agreed to devote your working time to furthering the Port Authority's business and operations, and to do so based on the merits — not compromised or influenced by any personal interests that you may have.

You must refrain from action in which you have or appear to have a conflict of interest. No one should have the impression that your job performance can be improperly influenced. Employees have primary responsibility for recognizing, avoiding and disclosing conflicts of interest.

### The Basics

To begin thinking about conflicts of interest issues, start by asking yourself two simple questions:

- > First, will I personally gain or lose, or appear to gain or lose, depending on how things play out on a Port Authority matter I'm working on?
- > And second, will an immediate family member gain or lose, or appear to gain or lose, depending on how things play out on a Port Authority matter I'm working on?

If the answer to either of these questions is "yes," you may have a conflict of interest.

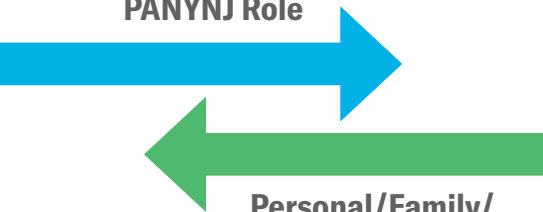
For example, let's say that you're working on a project to order new railcars. In that case, you likely have a conflict of interest:

- > If you own stock in a major railcar manufacturer that supplies, or wants to supply, railcars to the Port Authority — because the stock price could go up if the Port Authority places an order.
- > If your child is a senior executive at the railcar manufacturer — because their job stability could be enhanced if the Port Authority places an order.
- > If you have applied for a job at the railcar manufacturer — because your likelihood of landing the job could be increased if the Port Authority places an order.

In each of these cases, your independence and objectivity in performing your duties in connection with the railcar order might be called into question. You may be required to step back from participating in any Port Authority matter in which you have a conflict or there is an appearance of a conflict. If you become aware of a situation that might create a conflict between the agency's interests and your own (or that of an immediate family member), contact a Designated Ethics Attorney or the Office of Ethics and Compliance for guidance immediately.

PANYNJ Role

Personal/Family/  
Financial Interest



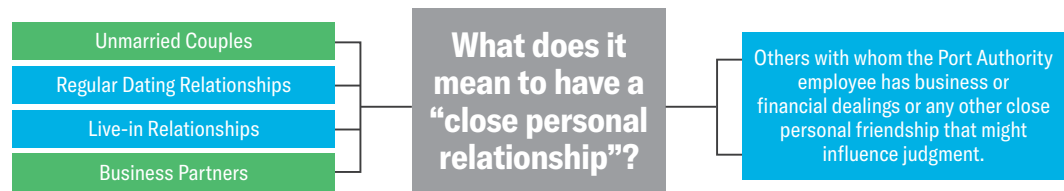


## Employment of Relatives

The Port Authority is committed to a level playing field for all employees, without the sort of favoritism that one relative might show to another. To that end, Port Authority employees must never participate in hiring or any other job-related decision involving a relative, and employees are prohibited from directly or indirectly supervising their relatives in any way.



Employees also cannot participate in hiring or any other job-related decision for someone with whom they have a close personal relationship, and they can never directly or indirectly supervise a person with whom they have a close personal relationship.



Additional rules apply to senior-level staff and to employees in the Human Resources Department, whose relatives generally cannot be hired. Some other rules related to employees and their relatives are:

- > Employees and their relatives cannot work in the same work unit without permission from the Human Resources Department.
- > A Port Authority employee must never solicit a Port Authority business partner or vendor to hire their relative.

New employees are asked to disclose the names of any relatives who work for the agency when they join the Port Authority. Life happens, and relationships can change over time. To avoid any conflict of interest, current employees should notify Human Resources if (1) a relative joins the agency, (2) a new relationship means another agency employee is now a relative, or (3) a job change within the agency might cause you to work in the same work unit or in the same line of supervision as a relative.

### **Offers of Employment**

If you are considering discussing or applying for a job with a current or a potential Port Authority business partner, even it's one you do not work with directly, special rules may apply, because such discussions could create a conflict — or the appearance of a conflict — between your personal interests and the interests of the Port Authority. You may not ask a business partner about future employment for yourself or your immediate family members, and if a business partner raises the possibility of future employment with you, or wishes to explore it, you should report it to a Designated Ethics Attorney or the Office of Ethics and Compliance.

### **Avoiding Potential Conflicts**

If you think you might have a conflict of interest, then you must immediately consult with a Designated Ethics Attorney or the Office of Ethics and Compliance listed on page 29. The purpose of this consultation is to confirm whether you have a conflict — and to determine what next steps might be appropriate. For example, to eliminate a conflict, you may be asked to step away from working on a certain Port Authority project.



**To request permission to engage in outside employment complete PA Form 3641. Contact your business manager or Human Resources with any questions.**

## Special Permission for Outside Employment

For public employees like us, outside employment can create conflicts of interest — or the appearance of conflict — and must never interfere with or negatively impact your ability to effectively fulfill your Port Authority duties. Before accepting work outside the Port Authority, you must obtain permission from your supervisor, the head of your department, and the Chief of Human Capital. This requirement also applies to self-employment and to providing paid or unpaid services to a family-owned business. If you are employed by another organization (or are self-employed) when you join the Port Authority, you must disclose your other employment and obtain permission to continue. After receiving initial permission, you must request and receive permission annually.

Requests for outside employment must also be made if you transfer positions, change outside employers, or change jobs related to your approved outside employment.

## Political Activity

As a public agency that plays a major role in communities across two states and many cities and counties, the public must trust that our core commitment is to serve the region in their best interests, and never for the interests of a partisan agenda. While Port Authority employees remain entirely free to exercise the right to vote and to express personal political views, to avoid any suggestion of partisanship, Port Authority employees must generally accept some limitations on political activities.

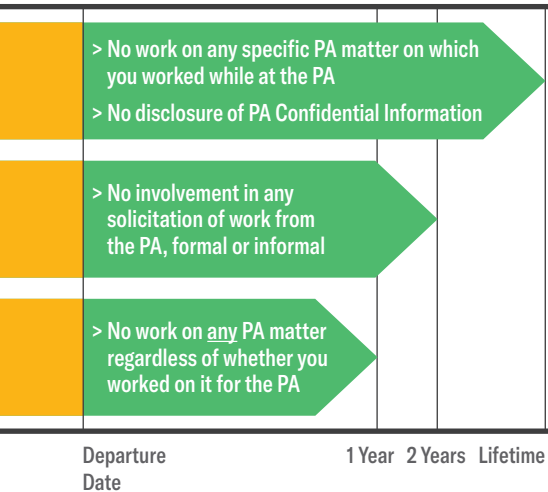
In expressing your personal political views, you should express them for yourself and outside of the workplace — and should not leave the impression that you are speaking for the Port Authority or attempting to use your position as a Port Authority employee to influence political activity by others.

While they are on duty, on Port Authority premises, while wearing Port Authority uniforms or insignia, or while using Port Authority vehicles or other resources, Port Authority employees are prohibited from engaging in partisan political activities, including seeking contributions for a political candidate or party, performing campaign tasks, or advocating for the success or failure of a partisan candidate or political party.

Port Authority employees are also prohibited from running for or holding certain elected offices. The rules in this area can be complicated. Please consult the Office of Ethics and Compliance before determining whether to run for elected office or to participate actively in the management of a political campaign. If you wish to undertake paid employment by a political campaign or organization, the rules on outside employment also apply.



## Post-Employment Restrictions



## Moving on After Port Authority Employment

After leaving Port Authority employment, you are free to go to work anywhere, including for Port Authority business partners. But in addition to the rules on offers of employment discussed above (page 19), which apply to discussions of possible employment while you are still employed by the Port Authority, there are strict limits on the specific matters you may work on after you leave the agency on behalf of other parties, as well as limits on when you can solicit business from the Port Authority. These limits are intended to avoid any suggestion that Port Authority employees are trying to curry favor with potential future employers.

All employees have a continuing obligation after they leave the Port Authority not to use or disclose any confidential information obtained as a result of their Port Authority employment for their own personal gain, or the gain of any other entity. Similarly, former Port Authority employees may never work on behalf of another party on any of the **specific matters on which they worked while at the agency.**

For one year after leaving the Port Authority for another job, a former employee cannot work on any matter in which the Port Authority has an interest, regardless of whether they worked on that matter while at the agency.

For two years after leaving the Port Authority for another job, a former employee cannot solicit business from the Port Authority or have their name appear in written or oral communications to seek or secure new contracts or business arrangements including responses to requests from Procurement for bids or for information.

Scan the QR code to access information from our external website:

Ethics Information for Business Partners



## Post-Employment Guidance

If and when you begin contemplating post-Port Authority employment possibilities, feel free to contact the Office of Ethics and Compliance or a Designated Ethics Attorney. Their contact information is listed on page 29, and they can provide detailed advice on how to comply with your post-employment obligations. Former employees should also contact the Office of Ethics and Compliance after they have left the agency if they believe an existing or potential new job could involve work on Port Authority matters.

Port Authority business partners are prohibited by the Vendor and Lessee Codes of Ethics from requiring former Port Authority employees to violate their post-employment obligations. The Codes of Ethics for Port Authority Vendors and Lessees are available on the Port Authority's public website in the Vendor Resources section, at ["Ethics Information for Business Partners."](#)

## Meeting Safety, Health and Environmental Obligations



The Port Authority has a long-standing commitment to healthy, safe, and environmentally sustainable activities. Today more than ever as we recover from COVID-19 together, ensuring health, safety and well-being in the workplace are critically important to employees, the mission of the Port Authority, and to the traveling public who depend on us each day to keep the region moving.

Because we are engaged in construction and operation of complex infrastructure assets, we rely on our employees to act in strict accordance with applicable laws, rules, and regulations to prevent accidents and to keep us all safe. The Office of the Chief Health and Safety Officer has been established to foster a culture of safety for both our employees and the public we serve.

Employees are expected to know, follow, and comply with relevant workplace health, safety, and environmental guidelines – including those from the Office of the Chief Health and Safety Officer.

Together we can build a culture of safety when you:

- > Immediately notify your manager or supervisor if you become aware of an unsafe or unhealthy condition, or a potential violation of environmental laws. If you have a question, ask your supervisor.
- > Pay careful attention to on-site workplace health and safety rules, including those issued under the Occupational Safety and Health Act, and closely follow supervisory instructions related to health and safety. Some of our work can be dangerous and require additional precautions or equipment, but no one can instruct you to work in an unsafe or unhealthy manner. You should report any request of this kind to the Chief Health and Safety Officer or the VOICE Helpline; you will be protected from retaliation for doing so.
- > Never work while using illegal drugs or while impaired by drugs or alcohol.
- > Use industrial equipment carefully and in accordance with manufacturer directions and wear proper safety gear and personal protective equipment to prevent workplace injuries.
- > Handle, store and dispose of toxic and hazardous materials properly, and in a safe and lawful manner. The agency evaluates all chemical-based products prior to purchase and use to ensure your safety and health. The approved products list and details are available from Office of the Chief Health and Safety Officer.
- > Follow guidance and protocols from the Office of Medical Services, including for reporting illnesses, injuries, and absences.

## Impairment and Substance Abuse

Employees may not come onto Port Authority or PATH premises, remain on Port Authority or PATH premises, or use company vehicles or equipment, if they are impaired in any way by either drugs or alcohol. In addition, employees may never use illegal or recreational drugs on Port Authority or PATH premises or while using agency vehicles.

## Prioritizing Physical and Mental Wellness

The nature of Port Authority work is often high-pressured given the physical and mental dedication needed to fulfill our mission to the public around the clock. The Office of Medical Services facilitates the agency's Employee Assistance Program (EAP), which provides free, confidential 24/7 support to employees dealing with stress, anxiety, depression, and other mental health challenges, as well as any other personal issues.



## Confidentiality and Open Government



### Transparency

The Port Authority is committed to openness — to transparency-minded compliance with the New York and New Jersey laws that ensure that the public can view our non-confidential records, including emails. In order to comply with these laws, we are sometimes required to compile all of our information on a given subject and cooperate with requests from the Law Department. If you receive a public records access request for certain documents from the Law Department (or another Port Authority department), you must promptly provide all responsive materials to which you have access, including materials that are stored on computers or hard drives, or in hard copy files. Never make your own determination about the materials to retain or to provide in response to a request.

### Confidentiality: Our Obligation

Our basic obligation is simple: protected information must remain confidential. Sharing or using protected information to advance anyone's personal interests (including your own) is a violation of this Code — and in some circumstances may also be a serious crime.

### What Information Must Be Protected?

Through our work, Port Authority employees often learn information that is related to the business or operations of the Port Authority and that is not public. Protected Information is the collective term for all types of confidential information that must be protected, including the most sensitive categories of information such as critical infrastructure information, law enforcement information, and information related to security initiatives at our facilities. The Port Authority Information Security Handbook contains the specific classifications of information that must be controlled and protected both internally and externally.

Additional types of Protected Information include personal or private information about employees or customers. An employee in the Human Resources Department, for example, might learn about a fellow employee's pension holdings, or a colleague's official performance review.

Protected Information also includes information related to a business or professional decision that might be of value to someone outside of the Port Authority. An employee in the Aviation Department, for example, might learn about the Port Authority's plans, or an airline's plans, for a certain parcel of property, or advance information about a Port Authority contract that could affect a company's stock price, permitting an investor to gain an improper financial benefit or possibly giving a potential vendor an advantage bidding for a Port Authority contract.



If you are unsure whether certain information may be protected, do not describe or discuss the information, or even mention it, until you have had a chance to have a full discussion with your manager or supervisor or the Law Department. As defined by the Port Authority Information Security Handbook, supervisors must ensure appropriate consultation with, and approval by, the Port Authority officials designated in the Handbook.

### Sharing Confidential Information

There are circumstances in which sharing confidential information is perfectly appropriate. You may, for example, be permitted to share confidential information with a consultant that is doing work for the Port Authority, if they are required to know the information in order to do their work and you receive appropriate permission to share the confidential information.

There are also circumstances in which you may be legally required to share confidential information. For example, if you have received a subpoena. In those cases, you should consult in the first instance with the Law Department.

Unless your manager or supervisor determines that sharing confidential information is legitimate, appropriate and advances the Port Authority's interests, you should not share confidential information with anyone outside the Port Authority. If you're unsure, consult with a Designated Ethics Attorney. Improper sharing of information might violate the law, contractual obligations, non-disclosure agreements, or this Code.





## Securities Laws

You should also be aware that federal and state securities laws impose strict limits on your ability to buy or sell stocks or to offer investment advice (i.e., to offer “tips” to others). For example, it may well be a federal crime to buy or sell a stock, bond or other investment (or to advise someone else to do so) if you are aware of non-public information that may cause the price to move up or down once the information becomes public. You are responsible for understanding and following federal and state securities laws.

## Procurement

Special care must be taken to protect the integrity of our procurement process. When it comes to an ongoing procurement, the Port Authority should be contacted by outside parties only through those Port Authority employees who have been explicitly designated by the Procurement Department. If you are contacted about a procurement, and you are not one of those specially designated employees — you should immediately let the Procurement Department know, and you should refer the person who contacted you to the Procurement Department.

You may receive unsolicited marketing emails and phone calls from outside businesses. You should not respond to such overtures, schedule a demonstration, or engage a potential vendor without first contacting your manager or supervisor and the Procurement Department to ensure you are complying with applicable rules.

## Speaking on Behalf of the Port Authority

The public depends on accurate and consistent information regarding the activities and actions of the Port Authority and our facilities. Public information is vital to safety and to coordinating the movement of the region.

To avoid any possible confusion about the source and accuracy of Port Authority information, employees who are not specifically authorized to speak on behalf of the Port Authority must not state or imply that they are speaking on behalf of the Port Authority and must not use their job title, work location or any agency logos or, uniforms in a way that could potentially create the impression that the information conveyed, or views expressed are sanctioned, endorsed or reviewed by the Port Authority.

Authorization to speak on behalf of the Port Authority must be secured in advance and in compliance with internal procedures established by the Office of the Chief Communications Officer. This requirement applies to all forms of public speaking including on social media or otherwise.

## Speaking Up and Protections from Retaliation



### What is Retaliation?

Retaliation is negative, unwarranted treatment in the workplace that typically occurs in response to someone speaking up or asserting other protected rights in the workplace. Retaliation can include visible action like dismissal, demotion, disciplinary action, or a reduction in compensation. But it can also include subtle acts like bullying, harassing or isolating another employee. Employees who retaliate or threaten to retaliate against another employee are subject to discipline up to and including termination.

### What Kinds of Activity Are Protected from Retaliation?

Knowing that you are protected against adverse action for reporting misconduct and for engaging in other protected activity helps to build a culture of compliance and integrity.

Port Authority policy broadly prohibits any form of retaliation or threat of retaliation against any employee who:

- > Makes a report in good faith about known or suspected violations of our Code, our policies or applicable laws to a manager or supervisor or to one of the **Port Authority Reporting Channels** listed on page 29;
- > Fully and honestly cooperates, assists, or participates in an internal or external investigation;
- > Objecting to or refusing to participate in or tolerate conduct that involves violations of our Code, our policies or applicable laws; or
- > Engages in any other activity protected by applicable law.

### Good Faith Reporting

Some people are concerned about reporting something they witnessed or know because they fear they got it wrong or don't have all the facts. Don't worry. Port Authority policy protects all reports made in "good faith."

You should feel safe to raise your voice and express any workplace concerns, and you also have the option to report anonymously by using the VOICE Helpline, which is operated by an independent third party. You can also reference page 28 for details on how to make a report and how reports are investigated.

Managers and supervisors are prohibited from taking any action to discourage employees from making a report, and employees are not required to make reports to their manager or supervisor before contacting a Port Authority Reporting Channel.

### What is "Good Faith" Reporting?

It is when you have a reasonable basis for making your report. If you have a reasonable basis to believe that something improper has occurred, it doesn't matter what other motivations you might have, what your prior disciplinary record might be, or what determinations investigators make.

## How To Get Guidance and Report Concerns

### If You Have a Question: Ask

The Port Authority wants you to make the right choices — but sometimes those choices are not obvious, involving complex matters or unfamiliar legal or ethical standards.

Regular training sessions are held throughout the year to provide consistent and clear training on our ethical obligations. But if you are not sure whether something violates this Code, you can ask a manager or supervisor right away for advice and guidance — unless they are implicated in what you are concerned about, or you otherwise feel uncomfortable confiding in them. There are additional resources for you, set out in the chart on the following page that will provide you guidance or direct you to the appropriate resource — and you are not required to notify your manager or supervisor that you are doing so.

### If You Have Information: Report It

If you've learned something that causes you to be concerned that certain conduct could be viewed as dishonest, unethical, or unlawful — you must report it (anonymously, if you want). You don't have to be sure that the conduct is improper. You owe both the agency and your fellow employees the opportunity to determine whether a problem exists. You are protected from retaliation for making a good faith report, even if an investigation determines that nothing improper occurred. And if you wish to make your report anonymously, there is a way to do so.

### Where to Go

Any **Port Authority Reporting Channel** listed in the chart on the following page is available — anonymously or confidentially.



## Reporting Channels

CONCERN	RESOURCE	CONTACT INFORMATION
Possible violation of the Employee Code of Ethics or other misconduct	Office of Ethics & Compliance  Ask for Nicole Crifo	Phone: 212-435-6607 Email: <a href="mailto:EthicsCompliance@panynj.gov">EthicsCompliance@panynj.gov</a> Address: 150 Greenwich St, 25th Floor New York, NY 10007
Possible criminal wrongdoing, fraud, time theft, improper payment, workplace violence, retaliation	Office of Inspector General  Ask for Randy Greenstein	Phone: 973-565-4340 Email: <a href="mailto:InspectorGeneral@panynj.gov">InspectorGeneral@panynj.gov</a> Address: P.O. Box 2018 Hoboken, NJ 07030
Fair employment practices, including discrimination, harassment & bias	Office of Equal Employment Opportunity Compliance  Ask for Abigail Gordon	Phone: 212-435-6323 Email: <a href="mailto:EEO@panynj.gov">EEO@panynj.gov</a> Address: 2 Montgomery St, 2nd Floor Jersey City, NJ 07302
Escalated concerns regarding employer-employee or coworker relationships with respect to critical performance and workplace issues	Employee Relations  Ask for Matt Kaplan	Phone: 212-435-2847 Email: <a href="mailto:EmployeeRelations@panynj.gov">EmployeeRelations@panynj.gov</a> Address: 2 Montgomery St, 3rd Floor Jersey City, NJ 07302
Questions or reports of any possible misconduct, discrimination, lack of compliance or wrongdoing of any kind that conflicts with the standards of our agency	The Voice of the Employee ("VOICE") helpline <i>Available 24/7, administered by a third-party vendor to ensure anonymity, if preferred</i>	Phone: 866-279-6844 Web: <a href="https://panynjvoice.tnwreports.com">https://panynjvoice.tnwreports.com</a>

## Additional Resources

CONCERN	RESOURCE	CONTACT INFORMATION
Questions as to the meaning of the provisions of the Employee Code of Ethics, or the law	Designated Ethics Attorney  Ask for Stephen Marinko	Phone: 212-435-3484 Email: <a href="mailto:EthicsAttorney@panynj.gov">EthicsAttorney@panynj.gov</a> Address: 150 Greenwich St, 25th Floor New York, NY 10007
Questions related to workplace equity or career concerns; providing support for employees who seek to resolve concerns with their colleagues or manager in a constructive manner	Employee Experience Advisor  Ask for Michael Watson	Phone: 212-435-2862 Email: <a href="mailto:miwatson@panynj.gov">miwatson@panynj.gov</a> Address: 150 Greenwich St, 16th Floor New York, NY 10007

## ***What Happens After You Report***

### **Confidentiality**

When you report a workplace concern, whether you report it anonymously or otherwise, the Port Authority will endeavor to keep the information you provide confidential to the extent permitted by law and by our responsibility to fully investigate the matter.

### **Acknowledgment**

You can be sure that all concerns will be carefully, promptly, discreetly, objectively and thoroughly reviewed. And, except if you have reported anonymously, you can be sure that you will receive acknowledgment of receipt of your report unless it would compromise the integrity of an investigation.

### **Retaliation is Prohibited**

The Port Authority flatly and firmly prohibits any retaliation or threats of retaliation against those who raise workplace concerns in good faith. Any retaliation will be severely punished, up to and including termination of employment, and/or civil and criminal penalties.

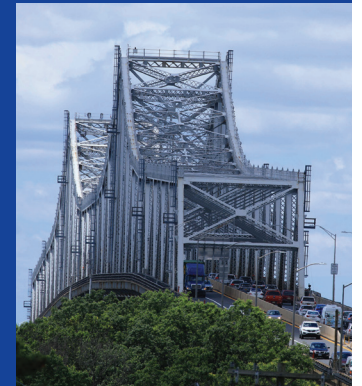
### **Cooperation with Investigations**

It is critical that the Port Authority be able to count on its employees to be honest and forthcoming when an investigation is being conducted into any workplace concerns. In the context of such an investigation, you must cooperate fully and provide complete and truthful information, to the best of your knowledge. You must also take care to preserve documentation or other materials related to an integrity investigation once you become aware that it is ongoing.

### **Commitment to Ethics and Integrity**

In addition to all these resources, the top leadership at the Port Authority is also closely focused on matters of integrity. When it comes to ethics, if you have a pressing problem or question and you are not getting a prompt response to your concern, you can also contact the Port Authority's Chief Ethics and Compliance Officer, Inspector General, Chief of Human Capital, Chief Diversity, Equity and Inclusion Officer, General Counsel, Executive Director, or any member of the Board of Commissioners.







4 World Trade Center  
150 Greenwich Street  
New York, NY 10007

[www.panynj.gov](http://www.panynj.gov)