

Code of Ethics

For Officers, Employees and Representatives of the
NEW YORK CITY and VICINITY DISTRICT COUNCIL
of CARPENTERS

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York

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*New York City and Vicinity District Council of
Carpenters*

NEW YORK CITY AND VICINITY DISTRICT COUNCIL OF CARPENTERS

CODE OF ETHICS

PREAMBLE

A commitment to fair and ethical business practices is fundamental to the proper functioning of the New York City and Vicinity District Council of Carpenters (“District Council”). Our continued success will only be achieved if all officers, employees, and agents of the District Council and its Local Unions maintain the highest level of personal integrity and observe the highest standards of ethical conduct.

The Code of Ethics that follows sets forth the fundamental values of the District Council to help guide its officers, employees, and agents in their day-to-day decision making and conduct. The Code is intended to express the District Council’s absolute commitment to establishing and embedding a culture that values and expects integrity and ethical conduct from all of its representatives and from every individual and organization with whom the District Council conducts business.

The Code of Ethics also sets forth the duty of every District Council officer, employee, and agent to report actual or suspected instances of misconduct or unethical behavior and to seek guidance whenever a question arises about whether actual or anticipated conduct is fair, ethical, and meets the high level of integrity required by the District Council. All reports of actual or suspected instances of misconduct will be investigated by the Chief Compliance Officer or by the Office of the Inspector General and appropriate disciplinary action, up to and including termination of employment, will be taken where misconduct is proven. The District Council will not take or tolerate any retaliatory action taken against an individual who makes a good faith report of actual or suspected misconduct.

CODE OF ETHICS

This Code of Ethics (the “Code”) sets forth the fundamental values of the District Council to guide its officers, employees, and agents in their day-to-day decision-making and conduct. It is intended to express the District Council’s fundamental values, and guiding principles. The Code is meant to complement the obligations already imposed on the District Council, its officers, employees, and agents by the ~~Con~~stitution of the United Brotherhood of Carpenters and Joiners of America (“UBC”), the Bylaws of the District Council dated August 5, 2011, the Stipulation and Order entered November 18, 2014 (the “Stipulation and Order”) and the Consent Decree entered on April 4, 1994 in *United States v. District Council et al.*, 90 Civ. 5722 SDNY (the

“Consent Decree”), the District Council Personnel Policy Manual, the Labor Management Reporting and Disclosure Act, Section 302 of the Labor Management Relations Act, and all other applicable federal and state laws, rules or regulations.

I. WE HAVE A DUTY TO ALWAYS ACT IN THE BEST INTERESTS OF THE MEMBERSHIP AND THE UNION.

Every officer, employee, and agent of the District Council and its Local Unions (collectively, the Union) occupy a position of trust and has an absolute duty to exercise their authority and to conduct union business solely on behalf of and for the benefit of the union and its members. Every officer, employee, and agent must set aside his or her own personal interests and act only in the best interests of the union and its members.

The fiduciary duty always to act in the best interests of the Union and its members lies at the heart of the ethical practices and high level of integrity required by the District Council. This is a high calling and a duty that must be kept in mind each day as we work together on behalf of the membership, to improve working conditions, and to ensure that workers are treated fairly and with respect.

Conflicts of interest between the needs of the Union and personal interests must be avoided. Every employee and agent of the District Council has a duty to report and resolve any real or potential conflict of interest they may have to an appropriate supervisor before they act. District Council Officers have a duty to report and resolve any real or potential conflict they may have to the Executive Committee before they act. Questions or concerns regarding whether an actual or anticipated action may pose a conflict of interest may also be raised with the Chief Compliance Officer, the Inspector General, or the General Counsel of the District Council

II. THE FUNDS, PROPERTY, AND OTHER RESOURCES OF THE DISTRICT COUNCIL AND ITS LOCAL UNIONS CAN ONLY BE USED FOR THE BENEFIT OF THE MEMBERSHIP AND THE UNION.

The funds, property, and other resources of the District Council and its Local Unions are held in trust for the benefit of the membership. The membership is entitled to assurance that District Council funds are not squandered and are spent only for proper purposes. The membership is also entitled to be informed as to how Union funds are being used.

Officers, employees, and representatives of the District Council and its Local Unions must not permit any District Council funds to be invested or spent in a manner that result in their personal

profit or to their personal advantage. The District Council and its Local Unions are prohibited from making loans to its officers, employees, agents, members, or members of their families.

Expenditures made using District Council or Local Union funds must comply with the requirements of the UBC Constitution, the District Council Bylaws, and the District Council Expense Policy that can be found in the District Council Personnel Manual.

III. DISTRICT COUNCIL OFFICERS, EMPLOYEES, AND REPRESENTATIVES MAY NOT SOLICIT OR ACCEPT GIFTS, ENTERTAINMENT, OR ANYTHING OF VALUE FROM ANYONE WHO CONDUCTS BUSINESS WITH THE UNION.

Officers, employees, and representatives shall not solicit or accept bribes, kickbacks, under-the-table payments, tips, any personal payment, or anything of value of any kind from an employer with which the union bargains collectively or from a business or professional enterprise with which the union does business. Every District Council officer, employee, and representative has a duty to report promptly to the Office of the Inspector General any actual or perceived effort by any individual or entity to influence improperly their actions or business judgment on behalf of the union.

District Council policy prohibits officers, employees, or representatives from soliciting or accepting anything of value, including meals, for themselves or others, from those transacting business with the union. Any gift or thing of value that is offered or received must be reported promptly to the Office of the Inspector General.

A gift received should be returned to the individual or organization from which it came unless it is so personalized or perishable that its return would be impractical or if its return could constitute an affront to the giver and thus adversely affect the District Council's continuing business relationship. The Executive Secretary Treasurer, in consultation with General Counsel, and the Chief Compliance Officer or the Inspector General, will determine the disposition of any gift that cannot be returned.

IV. DISTRICT COUNCIL OFFICERS, EMPLOYEES, AND REPRESENTATIVES CANNOT ASSOCIATE WITH ANYONE ASSOCIATED WITH ORGANIZED CRIME OR WITH INDIVIDUALS BARRED FROM PARTICIPATING IN UNION ACTIVITIES.

District Council officers, employees, and representatives must not engage in or support in any manner the following conduct:

- (a) “Racketeering Activity,” as defined in 18 U.S.C. 1961(1) (*see* Appendix 1 attached to this Code of Ethics);
- (b) Knowingly associating with any member or associate of an organized crime family or syndicate, including but not limited to the five recognized mafia “families” of New York City, other mafia “families,” other ethnically or nationally based gangs (e.g., Westies, Latin Kings, etc.), or other organized associations engaged in criminal activities.
- (c) Knowingly allowing any organized crime member or associate to influence the affairs of the District Council or any of its Local Unions;
- (d) Knowingly associating with any individual prohibited from participating in union affairs as a result of their being convicted of a felony, or conspiracy to commit a felony, involving the abuse or misuse of their position or employment in a labor organization or employee benefit plan to seek or obtain an illegal gain at the expense of the members of the labor organization or the participants and beneficiaries of the employee benefit plan;
- (e) Interfering in any way with the operation of this Code of Ethics or with the persons responsible for its administration; or
- (f) Knowingly engaging in any activity that violates the Permanent Injunction against Racketeering Activity imposed by paragraph 2 of the Consent decree entered in *United States v. District Council et al.*, 90 Civ. 5722 SDNY (CSH) (See Appendix 2 attached to this Code of Ethics).

No officer, employee, or representative shall knowingly aid, abet, or assist any individual who has been barred from union activity in participating in the affairs of the Union. If there is any question concerning whether an individual is barred from participating in union activity, guidance must be sought from the Chief Compliance Officer, the Inspector General, or from the General Counsel before engaging in or authorizing any activity with that individual.

V. RECORDS AND DOCUMENTS CREATED AND MAINTAINED AS PART OF CONDUCTING DISTRICT COUNCIL BUSINESS MUST BE COMPLETE, ACCURATE, AND TRUTHFUL.

Recording and reporting information honestly, fully, and objectively is essential to protecting the District Council’s credibility and reputation and to ensuring that the District Council’s business records are complete and accurate. Any information created while conducting the business of the District Council must accurately reflect the transactions or events involved. This holds true regardless of whether the information is in paper or electronic (including email) form.

Federal and State law and District Council policy require that business records must be preserved for specific periods of time and, in some cases, requires that they be maintained permanently. The District Council Personnel Policy Manual sets forth the District Council's Record Retention Policy. In addition to providing information about the kinds of records that must be maintained, the Records Retention Policy sets forth the periods of time that specific records must be maintained.

Before permanently destroying or deleting District Council business records, District Council employees and representatives should refer to the Record Retention Policy. If there is any question concerning whether a particular record should be preserved or destroyed, guidance should be sought from the Director of Human Resources, the Office of the Inspector General, the Chief Compliance Officer, or from the General Counsel.

VI. DECISIONS TO HIRE, PROMOTE, OR DISCIPLINE AN EMPLOYEE MUST BE MADE ON THE BASIS OF MERIT AND WHAT IS IN THE BEST INTERESTS OF THE UNION AND THE MEMBERSHIP.

The District Council and its Local Unions are committed to serving the membership effectively, efficiently and professionally. District Council and Local Union employees perform a critical role in achieving those goals. All decisions concerning the recruitment, selection, development, and advancement of employees must be based on merit and on what is in the best interests of the Union and its membership. Employment decisions must be based on qualifications, demonstrated skills, and achievements.

The District Council does not prohibit the employment of relatives within the organization provided that they are fully qualified and meet all job requirements. However, the existence of a family relationship must be disclosed to the District Council Director of Human Resources before a hiring decision can be made and no officer, employee, or representative of the District Council who is related to that candidate may participate in or attempt to influence the hiring decision. Any manager with a family member employed under his or her control may not initiate, recommend, or approve changes relating to such an employee, including salary increases and promotions, without the prior review and approval from the Executive Secretary-Treasurer in consultation with the Inspector General.

VII. DECISIONS TO PURCHASE GOODS OR SERVICES MUST BE MADE ON THE BASIS OF MERIT AND WHAT IS IN THE BEST INTERESTS OF THE UNION AND THE MEMBERSHIP.

Purchases of goods and services to be provided to the District Council and its Local Unions must be made exclusively on the basis of price, quality, service, and ability to meet the Union's needs. Every effort must be made to effect honest and straightforward relationships with vendors and contractors who provide goods and services to the union.

It is the policy of the District Council to support the labor movement's efforts to secure the fair treatment of all workers. When possible and practical, it is the District Council's preference to purchase union made goods and to procure services from unionized companies.

VIII. DISTRICT COUNCIL OFFICERS, EMPLOYEES, AND REPRESENTATIVES HAVE A DUTY TO MAINTAIN THE CONFIDENTIALITY OF DISTRICT COUNCIL RECORDS, UNION STRATEGIES, AND MEMBER INFORMATION.

The District Council and its Local Unions represent and provide services to over 20,000 members and their families. Information contained in member files is confidential and can only be used by authorized personnel for authorized purposes. Similarly, information contained in District Council personnel files is confidential and can only be used by authorized personnel for authorized purposes.

As part of the collective bargaining process and its representation of the union membership, the District Council and its Local Unions develop strategies aimed at securing the greatest possible benefit for the Union and its members. Information concerning these strategies is confidential and may only be disclosed by authorized Union representatives.

All District Council and Local Union officers, employees, and representatives have a duty to maintain the confidentiality of Union records and information. If there is ever a question regarding whether a business record or information is confidential, the individual seeking to use that information must seek guidance from their immediate supervisor, the Inspector General, the Chief Compliance Officer, or the General Counsel before taking any action to access or use the record or information.

IX. ALL DISTRICT COUNCIL OFFICERS, EMPLOYEES, AND REPRESENTATIVES HAVE A DUTY TO REPORT ACTUAL OR SUSPECTED UNLAWFUL CONDUCT, UNETHICAL CONDUCT, OR CONDUCT THAT VIOLATES THIS CODE OF ETHICS.

The District Council and its Local Unions require that every officer, employee, and representative be fully committed to personal integrity, fair and ethical business practices, the UBC Constitution, the District Council Bylaws, and compliance with the law. Demanding that commitment of ourselves and expecting it from everyone with whom we deal on behalf of the union is essential to achieving our goal to serve fully and faithfully the Union and its members. Every District Council and Local Union officer, employee, and representative has a duty to report actual or suspected unlawful or unethical conduct or conduct that violates this Code.

If there is ever a question of whether anticipated conduct is proper, there is a duty to seek guidance from an appropriate supervisor, the Inspector General, the Chief Compliance Officer, the General Counsel, or, during his tenure, the Independent Monitor.

- Richard Green, Inspector General -- (212) 366-3394 (office)/(917) 376-5504 (cell)
RGreen@nydcigoffice.org
- Josh Leicht, Chief Compliance Officer -- (212) 366-7362
JLeicht@NYCDistrictcouncil.org
- James M. Murphy, General Counsel -- (212) 765-2100
jmurphy@spivaklipton.com
- Glen G. McGorty, Independent Monitor – (212) 895-4246
monitor-mcgorty@crowell.com

The District Council encourages individuals to come forward with any concerns in person. Any information provided will be treated confidentially to the greatest extent possible by the District Council. Individuals who wish to report concerns anonymously, however, may do so by calling the ‘Hot Line’ maintained by Inspector General’s Office at **(855) UBC-TIPS**.

X. THE DISTRICT COUNCIL WILL NOT TAKE OR TOLERATE ANY RETALIATORY ACTION AGAINST AN INDIVIDUAL WHO IN GOOD FAITH REPORTS OR SEEKS GUIDANCE ON ETHICAL CONCERNS OR ACTUAL OR PERCEIVED MISCONDUCT.

The officers, employees, representatives, and members of the District Council and its Local Unions are the “eyes and ears” of the Union. It is crucial that the District Council and its Local Unions establish, nurture, and maintain a culture where individuals are encouraged to report good faith concerns and feel free to seek guidance without fear of retaliation.

It is the duty of every officer of the District Council and every employee in a management or supervisory role to establish and promote a work environment where individuals are encouraged to report their concerns and to seek guidance whenever they are unsure of how to act.

The District Council will not take and will not tolerate any retaliatory action against an individual who reports in good faith ethical concerns or actual or perceived misconduct. The District Council also will neither take nor tolerate any retaliatory action or negative job consequence against an individual who seeks guidance with respect to ethical concerns. The District Council will promptly investigate and take appropriate disciplinary action, up to and including termination of employment, in cases where improper retaliatory action is demonstrated.

CONCLUDING THOUGHTS

The District Council and its Local Unions are comprised of many people from different backgrounds and experiences. Both the individual and collective efforts of every officer, employee, and representative are necessary to sustain the Union's success and reputation for honesty and ethical practices.

This Code of Ethics is provided to help each officer, employee, and representative better understand the District Council's expectations regarding the conduct of its business. This Code of Ethics cannot cover every situation individuals may encounter during the course of their involvement with the District Council and its Local Unions. Whenever questions do arise concerning whether a course of action is proper, answering the following questions may help to evaluate how to respond:

1. Will my action comply with the intent and spirit of the District Council's Code of Ethics?
2. Will I compromise myself by this action if it becomes known to my colleagues, supervisors, co-employees, friends, or subordinates?
3. Is this action honest in every respect?
4. Could this action appear inappropriate to others, even if it is ethical and I am acting with complete honesty?
5. Can I feel comfortable performing this action or does it violate my own sense of what is ethical and honest?

If you still have questions or concerns after asking these questions, seek guidance from your supervisor, from the Office of the Inspector General, from the Chief Compliance Officer, or from the General Counsel.