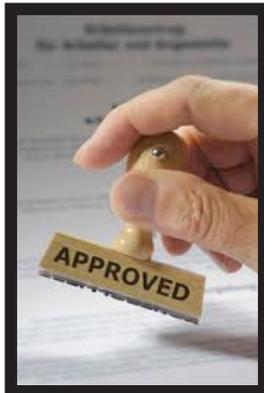


# Business Conduct Guidelines





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**The Business Conduct Guidelines (BCGs) establish the position of the Pennsylvania Turnpike Commission (PTC) with respect to business conduct. The BCGs have been adapted to:**

- endorse and promote the PTC's commitment to honest and ethical behavior, including fair dealings and the avoidance of conflicts of interest;
- ensure compliance with applicable laws, rules and regulations;
- protect the PTC's business interests; and
- deter criminal behavior.

## USING THE BUSINESS CONDUCT GUIDELINES

The BCGs were established to provide general guidance for acceptable business conduct. PTC employees are expected to comply with all applicable policies, procedures and guidelines, some of which are referenced throughout the BCGs. As we all know, there are no single set of guidelines, policies or procedures that can provide guidance to address all circumstances. That is why we expect all PTC employees to abide by all applicable laws and policies when exercising their duties, responsibilities and daily activities. When in doubt, ask for help and guidance from senior management or the Compliance or Legal Departments. A violation of any BCG may result in disciplinary action up to and including termination.

To a substantial degree, the reputation of the PTC is determined by our actions and by the way each and every one of us presents and conducts himself/herself. Illegal or inappropriate behavior on the part of even a single employee can cause the PTC considerable damage. Every employee should be concerned with maintaining and promoting a positive public image of the PTC.

In addition, the PTC expects its vendors, suppliers, contractors and business partners to act in accordance with the BCGs and share the PTC's values and comply with all applicable laws.



## SECTION 1: MANAGEMENT, RESPONSIBILITY AND SUPERVISION

The culture of integrity, ethical behavior and compliance in an organization starts at the top. All managers must fulfill their duties within the organization and be responsible for all employees assigned to them. All managers must earn respect by exemplary behavior, job performance and openness in all interactions with fellow employees and the public. This means, among other things, that each manager must emphasize the importance of ethical conduct and compliance, make them regular topics of everyday business and promote them through leadership and training. Each manager must also set clear and realistic goals and lead by example.

All managers shall be accessible in the event employees need to raise compliance concerns, ask questions or discuss a work-related issue. However, these duties of managers do not relieve employees of their own responsibilities. We must all work together to comply with applicable laws and PTC's Code of Conduct, policies, procedures and guidelines. Specific manager responsibilities are listed here to demonstrate to PTC employees the leadership and support they should expect from their superiors.

It is the obligation of all managers to be aware of any possible violations of laws within their area of responsibility and when necessary to provide proper supervision to prevent any potential violations of the law. They remain responsible, even if they delegate certain duties.

In particular, the following duties apply to all PTC managers:

- The manager must give precise and complete instructions to employees, especially with regard to compliance with the law.
- The manager must ensure that compliance with the law is diligently monitored.
- The manager must clearly communicate to employees the importance of integrity and compliance in everyday business. He/she must also communicate to employees that violations of the law are unacceptable and may have employment and legal consequences.



## SECTION 2: ADHERENCE TO THE LAW

Observing the law is a fundamental principle for all PTC employees. All PTC employees must obey at all times, all local, state and federal laws, regulations and all applicable policies and procedures. Violations of the law must be avoided under all circumstances. Regardless of the sanctions that could be imposed by law, all PTC employees who have violated the law will be subject to disciplinary actions. Because of the violation, they will be subject to discipline up to and including termination.

Employees who have questions regarding a proposed course of action or an action already taken should discuss the matter with their manager/supervisor. The manager should consult with the Chief Compliance Officer who, in turn, shall consult the PTC Legal Department (or approved external counsel) as required. In the event an employee has reason to believe that his/her manager is the individual engaging in this activity they shall take their concern to the Chief Compliance Officer (or Chief Counsel if they believe the violation involves the Compliance Office).

Employees are expected to act with honesty and integrity. PTC employees should promptly report unethical behavior or practices to the appropriate manager, the PTC's Tip Line (1-888-317-3110) or the Chief Compliance Officer.

Employees must also abide by and comply with the following: the PTC's Code of Conduct (Policy Letter 3.10), the Public Official and Employee Ethics Act (65 Pa. C.S. § 1101 et seq.), the PTC's Standards of Conduct (74 Pa. C.S. § 8201 et seq.), the Adverse Interest Act (71 P.S. § 776.1 et seq.) and various Federal and State criminal statutes. (These documents can be found on the PTC Intranet in the main document library).

## SECTION 3: RESPECT AND DIGNITY IN THE WORKPLACE

The PTC is committed to ensuring that all employees, vendors, business partners, suppliers, contractors, customers and the general public are treated with respect and dignity. The PTC will not tolerate harassment and/or discriminatory acts or practices by any of its employees. **(See the PTC's American with Disabilities Act Policy Letter 2.01, Sexual Harassment and Sexual Discrimination Policy Letter 3.03 and Workplace Violence Policy Letter 3.07)**

## SECTION 4: ETHICAL BUSINESS PRACTICES

The PTC does not seek to engage in illegal or unethical business practices or behavior. Each employee should deal fairly and ethically with the PTC's customers, vendors, suppliers, contractors, business partners and employees.





## SECTION 5: WORKING WITH OUTSIDE ENTITIES

The PTC expects its vendors, suppliers, contractors and business partners to share its values and comply with all applicable laws. Furthermore, the PTC expects its vendors, suppliers, contractors and business partners to act in accordance with the following principles:

- comply with all applicable laws, including but not limited to health and safety of their employees and environmental laws;
- prohibit corruption;
- respect employees;
- ensure compliance with the BCGs; and
- strictly adhere to the policies, procedures and established protocols regarding all procurement matters.

## SECTION 6: CONTRACT AND COMMITMENT GUIDELINES

Employees must ensure that all contracts including Purchase Orders, Change Orders, Supplements and Amendments have proper authorizations and documentation. All contract requirements associated with a contract must be in alignment with the BCGs and reviewed, acknowledged and signed by the contracting parties.

## SECTION 7: CONFIDENTIALITY

Confidentiality must be maintained at all times. Therefore, unless specifically designated as public information by the PTC, any confidential or proprietary materials, documents and information of the PTC that an employee, vendor, supplier, contractor or

business partner obtains as a result of his/her employment or contractual relationship with

the PTC shall be treated as confidential information. PTC employees, vendors, suppliers, contractors and business partners are prohibited from releasing or disclosing any such information to anyone who is not a PTC employee or authorized individual to receive such information. Questions regarding the release or disclosure of PTC information should be directed to the PTC's Chief Compliance Officer or Legal Department.



Violations of this Section may result in discipline of PTC employees up to and including termination and/or termination of contractual relationship with the vendor, supplier, contractor or business partner and other possible legal remedies.

## SECTION 8: PROTECTION AND PROPER USE OF PTC ASSETS

To ensure the protection of PTC assets, it is the duty of PTC employees, vendors, suppliers, contractors and business partners to promptly report to the Chief Compliance Officer or to the PTC's Tip Line (1-888-317-3110) known or suspected acts of fraud, waste or abuse by PTC employees, vendors, suppliers, contractors and business partners.



## 8.01 – COMPUTER ACCESS AND USE OF ELECTRONIC MEDIA

Every effort must be made to ensure the confidentiality, integrity and availability of PTC information assets. All electronic communications are the sole property of the PTC. The PTC workforce should be aware that users have no expectation of privacy when using PTC information systems. The PTC reserves the right at any time to examine email, computer records personal file directories and other information store do nor transmitted over PTC network to ensure compliance with internal policies, to support the performance of internal or external investigations and to assist with the management of information systems.

The use of PTC information systems to operate a personal business, for personal gain in any form, or for other inappropriate use is prohibited. Language and conduct during conversations, instant messaging and email exchanges does reflect on the PTC. As such, a professional manner must be maintained at all times.

Use of the PTC's computer network assets to download, communicate or exchange materials that conflict with the PTC's policies is prohibited. **(See PTC Policies 8.01, 8.05 and 8.07).** All PTC employees must sign an Electronic Communications Acceptable Use Policy acknowledging they have read and understand the IT policies and procedures.

## SECTION 9: EMPLOYMENT PRACTICES

The PTC is committed to ensuring that equal opportunity exists for all employees in all aspects of employment. **(See Equal Employment Opportunity Policy Letter 2.02.)**

## SECTION 10: HEALTH AND SAFETY

All employees are responsible for performing their duties in a safe manner and for keeping themselves updated on all PTC health and safety policies, procedures and directives. **(See Turnpike Safety Responsibility Policy Letter 5.04, Employee Safety Program Policy Letter 5.05 and the Employee Safety Orientation Manual found on the PTC Intranet Traffic and Engineering and Operations Department library.)**

## SECTION 11: ALCOHOL AND DRUGS

In order to provide the safest possible environment for our employees, visitors and the public, the PTC makes every effort to promote and maintain a drug and alcohol free workplace. All prospective employees must pass a pre-employment drug test, and all employees are subject to reasonable suspicion drug and alcohol testing on observation and documentation.

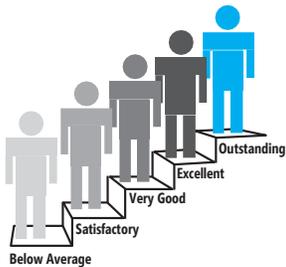
Using alcohol or any other controlled substance while on duty or on PTC property, except for medication(s) prescribed for the employee by a medical professional, is strictly prohibited and will result in the employee's termination. Possession of alcohol or any other controlled substance while on duty or on PTC property, except for medication(s) prescribed for the employee by a medical professional, is, without the express written permission of the employee's supervisor, prohibited and will result in the employee's termination.

Any employee who is arrested or charged with violating any law prohibiting the manufacture, distribution, or use of alcohol or any other controlled substance must notify their supervisor at their first opportunity, and in all circumstances, within five days of the date of being arrested or of charges being filed.

Supervisors must be sensitive to changes in an employee's behavior. If a supervisor observes an unexplained pattern of declining job performance or any other change in an employee's demeanor and suspects alcohol or substance abuse, they should not try to diagnose or counsel the employee. The supervisor should meet privately with the employee and encourage the employee to seek counseling if they have a problem. Employees with a substance abuse or alcohol-related problem are encouraged to seek treatment. Employees should discuss the matter with their supervisor. If an employee feels uncomfortable about discussing the matter with their supervisor, they should contact someone in their chain of command or contact TEAP at 800-571-3221 or visit the PTC Intranet for more information. Employees will not be disciplined for admitting to a problem and enrolling in and successfully completing an approved rehabilitation program. **(See Substance Abuse Policy Letter 3.05.)**

## SECTION 12: WORK PERFORMANCE

All employees should be aware of what is expected of them. A detailed listing of duties for each job can be found in the employee's job description. Supervisors should work closely with employees to ensure that employees understand all aspects of their job. Whenever an employee has questions or concerns about their responsibilities, they should talk to their supervisor. Mutual confidence, honesty and understanding between the employee and supervisor will enhance the employee's ability to grow in the job and succeed at the PTC.



All employees who are not members of a Collective Bargaining Unit will receive a performance evaluation approximately six months after they begin working for the PTC and annually thereafter. Supervisors should expect to give, and employees should expect to receive, constructive feedback throughout the year, not just at their annual evaluation. No issue the supervisor raises at the annual evaluation should come as a surprise to the employee.

## SECTION 13: AVOIDING CONFLICTS OF INTEREST

A "conflict of interest" occurs when an employee uses the authority of his/her office or employment or any confidential information received through his/her position or employment for the personal benefit of himself/herself, the employee's immediate family or a business with which the employee or the employee's immediate family is associated. Employees are prohibited from engaging in conduct that constitutes an actual or perceived conflict of interest.

Employees shall refrain from any financial or business dealings that would affect his/her objectivity, impartiality or independence of judgment.

Employees shall not influence or attempt to influence the making of or supervise or in any manner deal with any contract in which he/she has an adverse interest or have an adverse interest in any contract with the PTC.

Employees are not allowed to solicit or accept anything of monetary value, including but not limited to gifts, loans, rewards or a promise of future employment for themselves or any member of their immediate family based on any action they may take or not take by reason of their position or employment with the PTC.

Employees are prohibited from accepting any discount, gift, gratuity, compensation, travel, lodging, hospitality or other thing of value, in accordance with Governor Wolf's ban on the acceptance of gifts. Please refer to the **PTC's Code of Conduct Policy 3.10**.

Violations of these rules shall result in appropriate disciplinary action up to and including termination. In addition, depending on the specific facts, an employee may face criminal and civil penalties, including fines and imprisonment.

Known or suspected violations of the PTC Code of Conduct must be reported to the PTC's Chief Compliance Officer (or Chief Counsel if it is believed the violation involves the Compliance Office).

If it comes to the attention of an employee that such payments were sought or made, this should be immediately reported to employee's supervisor and to the PTC's Tip Line (1-888-317-3110) or the Chief Compliance Officer.

## SECTION 14: ANTI-CORRUPTION: DEMANDING AND ACCEPTING ADVANTAGES

PTC employees are not permitted to use their jobs to solicit, demand, accept, obtain or be promised advantages. As per Governor Wolf's ban on the acceptance of gifts and the PTC's guidelines as noted in Section 13 "Avoiding Conflicts of Interest." And **PTC's Code of Conduct Policy 3.10**.

It is illegal and not permitted for public officials, at any level of government, to obtain money, property, entertainment, hospitality, gifts or favors from the PTC by the wrongful use of their official position or as a condition to perform certain duties they are normally obligated to perform. If it comes to the attention of an employee that such payments were sought or made, this should be immediately reported to the employee's supervisor and to the PTC's Tip Line (1-888-317-3110) or the Chief Compliance Officer. It is the PTC's objective to conduct business with reputable consultants and business partners who are involved in lawful business activities. (See also the **PTC's Code of Conduct Policy Letter 3.10**.)

THERE IS  
NO RIGHT WAY  
TO DO  
A WRONG THING.



## SECTION 15: PROPER MAINTENANCE OF RECORDS AND FINANCIAL INTEGRITY

Open and effective communication requires accurate and truthful reporting. This applies equally to relationships with employees, customers, vendors, suppliers, contractors and business partners, as well as with the public and all governmental offices. The PTC is also required to maintain sound processes and controls so that transactions are executed according to PTC's policies and directives. The PTC must also prevent and detect unauthorized use of PTC's assets.

All PTC employees are required to make sure that the PTC's books and records they create or are otherwise responsible for are complete, accurate, honestly reflect each transaction or expenditure, and are timely and in accordance with applicable rules and standards.

All transactions of the PTC must be properly recorded and accounted for. This is essential to the integrity of the PTC's governance and financial-reporting obligations. All PTC employees are responsible for ensuring that false, inaccurate or misleading information is not made in the PTC's records and that fair, accurate, timely and understandable disclosure is made in all public communications.

In preparing and maintaining PTC books and records, employees should:

- adhere to all applicable accepted standards, practices, rules, regulations and controls;
- ensure the accurate and timely recording of costs, tolls, shipments, time sheets, vouchers, bills, payroll and benefit records, regulatory data, expense reports and other financial transactions are in the proper accounts;
- record all funds, assets and transactions and not establish any undisclosed or unrecorded fund or assets for any purpose;
- keep and retain books and records which reflect fairly, accurately and thoroughly detail the PTC's transactions, acquisition and disposal of assets and other relevant activities (**see Records Management Policy Letter 8.06**);
- sign only those documents that are accurate and truthful; and
- restrict access to sensitive or confidential information (such as financial records, materials that are protected by the attorney-client privilege and work product doctrine, E-ZPass account holder information and other customer information) to ensure the information is not accidentally or intentionally disclosed, modified, misused or destroyed, other than in accordance with the law and PTC's document retention policies.





## STRATEGIC PLAN

### MISSION

To operate a safe, reliable, customer-valued toll road system that supports national mobility and commerce.

### VISION

In serving our customers, we will reaffirm ourselves as the world's finest superhighway by:

- Fulfilling our public responsibility to provide a safe, sustainable, uninterrupted travel experience
- Becoming an industry leader, a valued business partner and a trusted employer

### VALUES

#### COMMUNICATION

We strive to foster continuous communication with our employees, customers, legislators, stakeholders and business partners.

#### CUSTOMER SERVICE

We maintain the highest level of quality service with a focus on safety, dependability and mobility.

#### DIVERSITY

We provide equal opportunity for all employees and business partners.

#### INNOVATION

We foster a visionary atmosphere to maintain our role as an industry leader.

#### INTEGRITY

We conduct ourselves transparently, responsibly, ethically and honestly to earn the public's trust every day.

#### PROFESSIONALISM

We create a work environment where employees are empowered to take ownership of their work and provide excellence in public service.

#### SAFETY

We care deeply about the safety of our employees, customers and business partners.

#### STEWARDSHIP

We respect current and future generations by using cost-effective strategies that meet today's challenges while safeguarding our resources, our finances and our environment for tomorrow.

#### TEAMWORK

We promote respect and collaboration among all team members to ensure effective and efficient quality service for our customers.





# APPENDIX

PA Turnpike Commission Policy & Procedure



	<b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>NUMBER:</b> 2.01  <b>APPROVAL DATE:</b> 08-14-2012
	<b>POLICY SUBJECT:</b>  Americans with Disabilities Amendments Act	<b>RESPONSIBLE DEPARTMENT:</b>  Office of Diversity and Inclusion	<b>EFFECTIVE DATE:</b> 08-29-2012  <b>REVISED DATE:</b> 08-21-2013

**A. PURPOSE:**

Title 1 of the Americans with Disabilities Act of 1990 (ADA), as amended by the Americans with Disabilities Act Amendment Act (ADAAA), makes it illegal to discriminate against a qualified person with a disability. Employers are required to reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless otherwise doing so would impose an undue hardship on the operation of the employer’s business. It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on disability.

In accordance with Title I, this policy is issued to reaffirm the policy and procedure(s) of the Pennsylvania Turnpike Commission (also referred to as the “Commission”) on the issue of the ADAAA and to inform all personnel of their duties and responsibilities with regard to this subject.

**B. SCOPE:**

This policy letter applies to all job applicants and all employees of the Commission, at every level. It provides information and guidelines relating to the Commission’s policy on ADAAA requests for reasonable accommodation and procedures for reporting and handling complaints of violations of the policy.

**C. GENERAL POLICY:**

The ADAAA prohibits discrimination in all aspects of employment against a qualified individual with a disability who can perform the essential functions of the job, with or without reasonable accommodation. The ADAAA also prohibits employers from retaliating against an applicant or employee for asserting his/her rights under the ADAAA.

Discrimination based upon disability is prohibited by both state and federal law and is also prohibited by the Pennsylvania Turnpike Commission’s Equal Opportunity Policy. The Commission will make every practical effort to provide reasonable accommodation whenever

necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and provided that any accommodation made does not present an undue hardship to the Commission. Generally, it is the obligation of the employee or applicant with a disability to request a reasonable accommodation or to indicate that s/he has a disability that is preventing him or her from accomplishing the essential functions of the job. Upon request, the Office of Diversity and Inclusion will work with the employee or job applicant to identify: (1) whether the employee/job applicant is a qualified individual with a disability and (2) whether a reasonable accommodation may be available to assist the employee/job applicant to perform the essential functions of the job.

The Commission's policy of nondiscrimination applies to all personnel and employment practices including:

1. Hiring, recruitment or recruitment advertising
2. Training
3. Promotion or transfer
4. Compensation
5. Layoff or termination
6. Disciplinary action
7. Evaluations
8. Medical exams
9. Leave
10. Benefits
11. Relationship or association with a disabled person

It is also a violation of Commission policy for any employee to subject customers or visitors to Commission facilities to discrimination based upon disability.

#### **D. DEFINITIONS:**

1. A "qualified individual with a disability" refers to an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
2. The terms "essential functions" refers to the fundamental job duties of the employment position that the individual with a disability holds or desires. This term does not include marginal functions of the position.
3. The term "disability" refers to a physical or mental impairment that substantially limits one or more major life activities of an individual, a record of such impairment, or being regarded as having such an impairment. Individuals covered only under the "regarded as" prong are not entitled to reasonable accommodation if no actual disability exists.

4. The determination of whether a person has an ADA disability will not take into consideration whether the person is substantially limited in a major life activity when using a mitigating measure other than “ordinary eyeglasses or contact lenses”.

5. Major life activities may include, but are not limited to, such functions as caring for oneself, performing manual tasks, walking, seeing, hearing, eating, sleeping, speaking, breathing, learning, reading, bending, communicating, thinking, sitting, reaching, interacting with others, and major bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal, special sense organs and skin, genitourinary, cardiovascular systems, and reproductive functions.

6. The term “substantially limits” refers to an impairment that prohibits or significantly restricts an individual’s ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

7. “Undue hardship” refers to an action requiring significant difficulty or expense, when considered in the light of factors set forth by the ADA.

**E. PROCEDURES:**

1. Any employee, including but not limited to a manager, supervisor, or chief/director, who acts in violation of this policy shall be subject to discipline up to and including suspension or termination.

2. Supervisory personnel have the responsibility to insure that this policy is adhered to and shall take whatever action is necessary to insure that none of their subordinates engage in prohibited behavior.

3. Any employee who feels that he or she has been harassed or discriminated against based on his or her disability is encouraged to keep a record of the employee(s) involved; the time, date and place of the incident(s); the nature of the alleged harassment or discrimination; and the identity of any witness(es).

4. Any employee who feels that he or she has been harassed or discriminated against based on disability, including but not limited to the conduct detailed in this policy, should immediately bring the problem to the attention of his or her immediate supervisor. An employee may also report the problem directly to the Office of Diversity and Inclusion.

5. Supervisory personnel will take all steps necessary to insure that all alleged harassing or discriminatory behavior is addressed in a timely and confidential manner when such behavior is brought to their attention, either officially or unofficially.

6. All complaints will be investigated in a timely and confidential manner. In no event will information concerning a complaint be released to a third party (except as required by the

Pennsylvania Human Relations Commission, Equal Employment Opportunity Commission or as otherwise required by law) with the following exceptions:

- i. Appropriate supervisors and managers may be informed regarding restrictions on the work or duties of disabled employees and any accommodations that have been made.
- ii. If the condition requires emergency treatment, first aid and safety personnel may be informed.

The Commission will use its best efforts to prevent discussion of the information outside the investigation and will instruct parties involved in the investigation not to discuss the matter except when necessary.

7. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witness(es). Employees shall be guaranteed a fair and impartial investigation. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation.

8. If the investigation results in sufficient evidence to substantiate a complaint, the Commission will address the policy violation in a timely manner and will take appropriate disciplinary action necessary to prevent a recurrence, up to and including suspension or termination.

9. If the employee who complains of harassment or discrimination is not satisfied with the response from his or her immediate supervisor, or if that supervisor is perceived to be involved in the harassing or discriminatory behavior, the employee should bring the matter to the attention of the person who is next in line in the chain of command or to the Office of Diversity and Inclusion which will promptly investigate all complaints as set forth above.

Complaints may be filed with the Office of Diversity and Inclusion:

The Pennsylvania Turnpike Commission  
Office of Diversity and Inclusion  
P.O. Box 67676  
Harrisburg, Pennsylvania 17106-7676  
(717) 939-9551

**(Within 90 days of the incident)**

The determination of the Office of Diversity and Inclusion shall represent the final decision of the Pennsylvania Turnpike Commission on the issue raised by the employee who complains of harassment or discrimination based on disability.

10. If any employee who complains of harassment or discrimination based on disability is not satisfied with the results or recommendations of the Pennsylvania Turnpike Commission's internal findings, he or she may forward the complaint to the agencies listed below:

PA Human Relations Commission: ([www.phrc.state.pa](http://www.phrc.state.pa))

Harrisburg Regional Office  
333 Market Street  
Harrisburg, PA 17126-0333  
(717) 787-9780 (Voice)  
(717) 787-7279 (TTY)

Office Pittsburgh Regional Office  
301 Fifth Avenue  
Suite 390, Piatt Place  
Pittsburgh, Pennsylvania 15222  
(412) 565-5395 (Voice)  
(412) 565-5711 (TTY)

Philadelphia Regional Office  
110 North 8th Street  
Suite 501  
Philadelphia, Pennsylvania 19107  
(215) 560-2496 (Voice)  
(215) 560-3599 (TTY)

**(Within 180 days of incident)**

Equal Employment Opportunity Commission:

Philadelphia District Office  
801 Market Street  
Suite 1300  
Philadelphia, PA 19107-3127  
(800) 669-4000 (Voice)  
(800) 669-6820 (TTY)

Pittsburgh Area Office  
1000 Liberty Avenue  
Suite 1112  
Pittsburgh, PA 15222-4187  
(800) 669-4000 (Voice)  
(412) 395-5904 (TTY)

**(Within 300 days of incident)**

*This Policy Letter supersedes all previous Policy Letters on this subject.*

	<b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>NUMBER:</b> 2.02  <b>APPROVAL DATE:</b> 08-14-2012  <b>EFFECTIVE DATE:</b> 08-29-2012  <b>REVISED DATE:</b> 08-21-2013
	<b>POLICY SUBJECT:</b>  Equal Employment Opportunity	<b>RESPONSIBLE DEPARTMENT:</b>  Office of Diversity and Inclusion	

**A. PURPOSE:**

“Title VII of the Civil Rights Act of 1964 prohibits discrimination in hiring, firing, promotions, wages, job assignments, fringe benefits and other terms and conditions of employment on the basis of race, color, religion, sex or national origin.”

In accordance with Title VII, this policy is issued to reaffirm the policy and procedure(s) of the Pennsylvania Turnpike Commission (also referred to as the “Commission”) on the issue of equal employment opportunity and to inform all personnel of their duties and responsibilities with regard to this subject.

**B. SCOPE:**

This policy letter applies to all job applicants and all employees of the Pennsylvania Turnpike Commission, at every level. It provides information and guidelines relating to the Commission’s policy on equal opportunity and procedures for reporting and handling complaints of violations of the policy.

**C. GENERAL POLICY:**

It is the policy of the Pennsylvania Turnpike Commission to provide equal employment opportunity to all qualified persons regardless of race, color, religious creed, ancestry, union membership, age, sex, sexual orientation, marital status, national origin, political affiliation or support, AIDS or HIV status, disability, or genetic information.

Consistent with this policy, the commitment of the Pennsylvania Turnpike Commission is to:

1. Recruit, hire, train, promote, and compensate persons in all job classifications without regard to race, color, religion, marital status, disability or handicap, national origin, age, sex, sexual orientation, political affiliation or support, or genetic information.

2. Develop and implement sound administrative policy, which will ensure that management decisions affecting program operations, services provided, and employment practices are consistent with this policy.
3. Ensure that all matters affecting pay, benefits, transfers, Commission sponsored training, education, tuition assistance, social and recreational programs are administered consistently with the scope, purpose and objectives of the Equal Opportunity Plan.
4. Maintain a work atmosphere that is free from unlawful forms of discrimination, reprisal, intimidation, harassment, or retaliation of any employee based on such attributes as race, color, religious creed, ancestry, union membership, age, sex, sexual orientation, marital status, national origin, political affiliation or support, AIDS or HIV status, disability, or genetic information.
5. Ensure that reasonable accommodations will be made for the physical or mental limitations of an applicant or employee.

**D. DEFINITIONS:**

1. The term discrimination refers to the denial of employment or employment opportunities because of race, color, religious creed, ancestry, union membership, age, sex, sexual orientation, marital status, national origin, political affiliation or support, AIDS or HIV status, disability, or genetic information.
2. The term harassment refers to behavior that ridicules, denigrates and/or is physically abusive of an employee because of race, color, religious creed, ancestry, union membership, age, sex, sexual orientation, marital status, national origin, political affiliation or support, AIDS or HIV status, disability, or genetic information.

**E. PROCEDURES:**

1. Any employee, including but not limited to a manager, supervisor, or chief/director, who acts in violation of this policy, shall be subject to discipline up to and including suspension or termination.
2. Supervisory personnel have the responsibility to insure that this policy is adhered to and shall take whatever action is necessary to insure that none of their subordinates engage in sexually harassing or discriminatory behavior.
3. Any employee who feels that he or she has been harassed or discriminated against is encouraged to keep a record of the employee(s) involved; the time, date and place of the incident(s); the nature of the alleged harassment or discrimination; and the identity of any witness(es).

4. Any employee, who feels that he or she has been harassed or discriminated against, including but not limited to the conduct detailed in this policy, should immediately bring the problem to the attention of his or her immediate supervisor. An employee may also report the problem directly to the Office of Diversity and Inclusion within 90 days of the incident.

5. Supervisory personnel will take all steps necessary to promptly investigate and address any alleged harassing or discriminatory behavior by any of their subordinates when such behavior is brought to their attention, either officially or unofficially.

6. All complaints will be investigated in a timely and confidential manner. In no event will information concerning a complaint be released to a third party (except as required by the Pennsylvania Human Relations Commission, Equal Employment Opportunity Commission or as otherwise required by law). The Commission will use its best efforts to prevent discussion of the information outside the investigation and will instruct parties involved in the investigation not to discuss the matter.

7. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witness(es). Employees shall be guaranteed a fair and impartial investigation. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation.

8. If the investigation reveals that the complaint is valid, the Commission will address the policy violation in a timely manner and will take the appropriate disciplinary action necessary to prevent a recurrence, up to and including suspension or termination.

9. If the employee who complains of harassment or discrimination is not satisfied with the response from his or her immediate supervisor, or if that supervisor is perceived to be involved in the harassing or discriminatory behavior, the employee should bring the matter to the attention of the person who is next in line in the chain of command or to the Office of Diversity and Inclusion which will promptly investigate the complaint as set forth above.

Complaints may be filed with Diversity and Inclusion at:

The Pennsylvania Turnpike Commission  
Office of Diversity and Inclusion  
P.O. Box 67676  
Harrisburg, Pennsylvania 17106  
(717) 939-9551

**(Within 90 days of incident)**

The determination of the Office of Diversity and Inclusion shall represent the final decision of the Pennsylvania Turnpike Commission on the issue raised by the employee who complains of harassment or discrimination.

10. If any employee who complains of harassment or discrimination is not satisfied with the results or recommendations of the Pennsylvania Turnpike Commission's internal findings, he or she may forward the complaint to the agencies listed below:

PA Human Relations Commission: ([www.phrc.state.pa](http://www.phrc.state.pa))

Harrisburg Regional Office  
333 Market Street  
Harrisburg, PA 17126-0333  
(717) 787-9780 (Voice)  
(717) 787-7279 (TTY)

Office Pittsburgh Regional Office  
301 Fifth Avenue  
Suite 390, Piatt Place  
Pittsburgh, Pennsylvania 15222  
(412) 565-5395 (Voice)  
(412) 565-5711 (TTY)

Philadelphia Regional Office  
110 North 8th Street  
Suite 501  
Philadelphia, Pennsylvania 19107  
(215) 560-2496 (Voice)  
(215) 560-3599 (TTY)

**(Within 180 days of incident)**

Equal Employment Opportunity Commission:

Philadelphia District Office  
801 Market Street  
Suite 1300  
Philadelphia, PA 19107-3127  
(800) 669-4000 (Voice)  
(800) 669-6820 (TTY)

Pittsburgh Area Office  
1000 Liberty Avenue  
Suite 1112  
Pittsburgh, PA 15222-4187  
(800) 669-4000 (Voice)  
(412) 395-5904 (TTY)

**(Within 300 days of incident)**

*This Policy Letter supersedes all previous Policy Letters on this subject.*



## PA TURNPIKE COMMISSION POLICY

*This is a statement of official Pennsylvania Turnpike Policy*

**NUMBER:** 3.03

**APPROVAL DATE:** 08-14-2012

**EFFECTIVE DATE:** 08-29-2012

**REVISED DATE:** 08-21-2013

**POLICY SUBJECT:**

Sexual Harassment and  
Sexual Discrimination

**RESPONSIBLE DEPARTMENT:**

Office of Diversity and Inclusion

**A. PURPOSE:**

Title VII of the Civil Rights Act of 1964 and Executive Order 2002-4, Prohibition of Sexual Harassment in the Commonwealth, dated May 3, 2002, prohibit sexual harassment and sex discrimination. It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex.

In accordance with Title VII, this policy is issued to reaffirm the policy and procedure(s) of the Pennsylvania Turnpike Commission on the issues of sexual harassment and sexual discrimination and to inform all personnel of their duties and responsibilities with regard to this subject.

**B. SCOPE:**

This policy letter applies to all employees of the Pennsylvania Turnpike Commission, at every level. It provides information and guidelines relating to the Commission's policy against sexual harassment and discrimination and procedures for reporting and handling complaints of violations of the policy.

**C. GENERAL POLICY:**

It is the policy of the Pennsylvania Turnpike Commission ("Commission") to provide an environment which is free of sexual harassment and discrimination. Sexual harassment and discrimination are prohibited by state and federal law as well as by the Commission's Equal Opportunity Policy. Sexual harassment or discrimination by any employee or non-employee, including any employee of a vendor or contractor, will not be tolerated. The Commission is committed to the proposition that its employees and others working at or visiting its facilities are entitled to be treated in a respectful, dignified and non-offensive manner.

It is a violation of Commission policy for any employee to sexually harass or discriminate against another employee, including an employee of the same sex, by:

1. engaging in sexually based verbal, non-verbal or physical conduct of an unwelcome or offensive nature; or

2. making unwelcome sexual advances or requests for sexual favors or other verbal, non-verbal or physical conduct of a sexual nature a condition (explicit or implicit) of an individual's employment;
3. making submission to or rejection of such conduct the basis for employment decisions affecting the individual; or
4. creating an intimidating, hostile or offensive working environment by such conduct; or
5. engaging in such conduct with the purpose or effect of unreasonably interfering with an individual's work performance; or
6. treating a person or class of persons unequally based on gender; or
7. denying employment opportunities or benefits to an individual because another individual has submitted to sexual advances or requests for sexual favors and has received employment opportunities and benefits in return (often referred to as third party sexual harassment).

It is also a violation of Commission policy for any employee to subject customers of or visitors to Commission facilities to sexual harassment or discrimination of any nature.

This policy is gender-neutral. That is, the policy refers to unwanted attention from: male employees to female employees, female employees to male employees, and same gender sexual harassment or discrimination.

#### **D. DEFINITIONS:**

1. The term **sexual harassment** does not refer to behavior or occasional compliments of socially acceptable nature. Rather, it refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others and that interferes with respectful interaction in the workplace. The terms sexual harassment and discrimination are used interchangeably for purposes of this policy.
2. The term **discrimination** as used in this policy refers only to sexual discrimination, not to any other form of discrimination such as race, age, national origin, etc.
3. The term **verbal harassment** or conduct includes, but is not limited to, sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions or threats.
4. The term **non-verbal harassment** or conduct includes, but is not limited to, sexually suggestive pictures or objects; graphic commentaries, written material or electronic communication; suggestive or insulting sounds; leering, whistling or obscene gestures.

5. The term **physical harassment** or conduct includes, but is not limited to, unwelcome touching, pinching, brushing the body, coerced sexual acts or assault.

**E. PROCEDURES:**

1. Any employee, including but not limited to a manager, supervisor, department head or director, who acts in violation of this policy shall be subject to discipline up to and including suspension or termination.
2. Supervisory personnel have the responsibility to insure that this policy is adhered to and shall take whatever action is necessary to insure that none of their subordinates engage in sexually harassing or discriminatory behavior.
3. Any employee who feels that he or she has been sexually harassed or discriminated against is encouraged to keep a record of the employee(s) involved; the time, date and place of the incident(s); the nature of the alleged harassment or discrimination; and the identity of any witness(es).
4. Any employee who feels that he or she has been sexually harassed or discriminated against, including but not limited to the conduct detailed in this policy, should immediately bring the problem to the attention of his or her immediate supervisor. An employee may also report the problem directly to the Office of Diversity and Inclusion.
5. Supervisory personnel will take all steps necessary to immediately address any alleged sexually harassing or discriminatory behavior by any of their subordinates when such behavior is brought to their attention, either officially or unofficially.
6. All complaints will be investigated in a timely and confidential manner. In no event will information concerning a complaint be released to a third party (except as required by the Pennsylvania Human Relations Commission, Equal Employment Opportunity Commission or as otherwise required by law). The Commission will use its best efforts to prevent discussion of the information outside the investigation and will instruct parties involved in the investigation not to discuss the matter.
7. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witness(es). Employees shall be guaranteed a fair and impartial investigation. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation.
8. If the investigation reveals that the complaint is valid, the Commission will timely address the policy violation and take appropriate disciplinary action necessary to prevent a recurrence, up to and including suspension or termination.
9. If the employee who complains of sexual harassment or discrimination is not satisfied with the response from his or her immediate supervisor, or if that supervisor is perceived to be involved in the sexually harassing or discriminatory behavior, the employee should bring the matter to the attention of the person who is next in line in the chain of command or to the Office of Diversity and Inclusion which will promptly investigate the complaint as set forth above.

Complaints may be filed with Diversity and Inclusion at:

The Pennsylvania Turnpike Commission  
Office of Diversity and Inclusion  
P.O. Box 67676  
Harrisburg, Pennsylvania 17106  
(717) 939-9551

**(Within 90 days of incident)**

The determination of the Office of Diversity and Inclusion shall represent the final decision of the Pennsylvania Turnpike Commission on the issue raised by the employee who complains of sexual harassment.

10. If any employee who complains of sexual harassment or discrimination is not satisfied with the results or recommendations of the Pennsylvania Turnpike Commission's internal findings, he or she may forward the complaint to the agencies listed below:

PA Human Relations Commission: ([www.phrc.state.pa](http://www.phrc.state.pa))

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Office Pittsburgh Regional Office  
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(412) 565-5711 (TTY)

Philadelphia Regional Office  
110 North 8th Street  
Suite 501  
Philadelphia, Pennsylvania 19107  
(215) 560-2496 (Voice)  
(215) 560-3599 (TTY)

**(Within 180 days of incident)**

Equal Employment Opportunity Commission:

Philadelphia District Office  
801 Market Street  
Suite 1300  
Philadelphia, PA 19107-3127  
(800) 669-4000 (Voice)  
(800) 669-6820 (TTY)

Pittsburgh Area Office  
1000 Liberty Avenue  
Suite 1112  
Pittsburgh, PA 15222-4187  
(800) 669-4000 (Voice)  
(412) 395-5904 (TTY)

**(Within 300 days of incident)**

*This Policy Letter supersedes all previous Policy Letters on this subject.*

 <b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>NUMBER:</b> 3.05  <b>APPROVAL DATE:</b> 00-00-0000  <b>EFFECTIVE DATE:</b> 10-03-1989  <b>REVISED DATE:</b> 00-00-0000
<b>POLICY SUBJECT:</b>  Substance Abuse	<b>RESPONSIBLE DEPARTMENT:</b>  Human Resources	

**A. PURPOSE:**

The Pennsylvania Turnpike Commission is concerned with the well being and safety of its employees and the traveling public and will continue to promote a safe work environment.

Illegal or inappropriate use of alcohol and other controlled drugs affect the efficiency and effectiveness of the operation.

The Pennsylvania Turnpike Commission will make every effort to promote and maintain a drug free work place.

**B. SCOPE:**

**C. GENERAL POLICY:**

The unlawful manufacturing, dispensing, possessing or use of alcohol or any other controlled drug while on duty or on the premises of the Pennsylvania Turnpike Commission is prohibited. Employees violating any of these provisions subject themselves to appropriate discipline up to and including discharge.

**D. DEFINITIONS:**

**E. PROCEDURES:**

**Employee Responsibility**

Employees who have a substance abuse or alcohol related problem are strongly encouraged to seek help. Such employee should discuss the problem with their supervisor or someone in the chain of command. If any additional conversation or information is necessary, the Director of Human Resources will be available to discuss this matter. Employees should not delay treatment, especially when performance problems exist.

Any employee arrested and/or convicted of violating any statute governing the unlawful manufacturing, distributing, dispensing, possessing or use of alcohol or other controlled drugs shall notify their supervisor within five (5) days.

**Supervisor's Role**

Normally a pattern of declining job performance occurs over a period of weeks or months. The supervisor is usually the person to detect change in an employee's behavior or job performance. It is the supervisor's responsibility to take normal corrective actions. If substance abuse is suspected, the supervisor should not diagnose or counsel but should encourage the employee to seek counseling if he/she has a problem.

**Rehabilitation Program**

Employees who enroll in an approved rehabilitation program must satisfactorily complete the program before any consideration for continued employment will be given.

**Discipline**

Employees who violate work rules will be disciplined accordingly. Employees will not be disciplined for admitting to a problem and enrolling in an approved program.

Nothing in this policy prevents the employer from taking proper discipline for just cause.

*This Policy Letter supersedes all previous Policy Letters on this subject.*

	<b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>NUMBER:</b> 3.07  <b>APPROVAL DATE:</b> 07-23-2002
	<b>POLICY SUBJECT:</b>  Workplace Violence	<b>RESPONSIBLE DEPARTMENT:</b>  Human Resources	<b>EFFECTIVE DATE:</b> 08-07-2002  <b>REVISED DATE:</b> 08-15-2017

**A. PURPOSE:**

This policy letter establishes the Pennsylvania Turnpike Commission's (Commission) commitment to provide a safe and secure work environment free from threats, harassment, violence and other potentially harmful acts.

**B. SCOPE:**

This policy prohibits workplace violence by any person involved in Commission operations.

**C. GENERAL POLICY:**

The Commission has zero tolerance for workplace violence. Workplace violence by any Commission Employee or Representative doing business with the Commission will not be tolerated. Each Commission Employee and Representative will be held accountable for complying with this policy and reporting any suspicious activity or workplace violence, whether they were directly involved or not.

Workplace violence includes, but is not limited to, the following:

Verbal, physical or terroristic threats; or acts of violence against people or property occurring on Commission premises or off Commission premises if a Commission Employee or Representative engaging in Commission related business at the time of the incident; and

Threats or acts of violence, bodily harm, or physical, written or verbal intimidation or coercion by Commission Employees or Representatives or by third-parties acting at the behest of the Commission Employee or Representative, which may either bring about harm, or which create an intimidating, hostile or offensive working environment.

Except for Pennsylvania State Police (PSP) and/or Capitol Police (CP), armored courier services and non-Commission employee law enforcement officers, it is a violation of this policy to carry a weapon, firearm or other instrument of force, of any kind while inside a Commission facility, building or leased space, on Commission property, inside a Commission-owned or Commission leased or rented vehicle, or while conducting Commission business, on or offsite. Regardless of any legally-issued Concealed Weapons or License to Carry Firearms Permit, it is strictly prohibited for a Commission Employee or Representative to

carry a firearm or concealed weapon as set forth above and will subject an Employee to discipline, up to and including termination and a Commission Representative to termination of the business contract or removal from all Commission assignments.

**Commission Assessment Team:**

In most cases, Workplace Violence situations will be handled and investigated by PSP and/or CP; however, the Commission Assessment Team along with any necessary members of the Commission's Crisis and Emergency Risk Communications (CERC) Team will hold a vital role in assisting with the investigation. The Commission Assessment Team's key roles will be to provide guidance, coordination services and after-action review when faced with a workplace violence situation. The Commission's team consists of the following members:

- Chief Executive Officer
- Chief Operating Officer
- Chief Compliance Officer
- Chief Counsel
- Director of Human Resources
- Director of Traffic Engineering and Operations
- Director of Public Relations and Marketing

**D. DEFINITIONS:**

Commission Representatives – Consultants, contractors, business partners and anyone else working under contract with the Commission.

Crisis and Emergency Risk Communications Team (CERC) – This team is responsible for the immediate and standardized notification, reporting and appropriate handling of serious injuries and incidents that may occur on Commission property or during the conducting of official Commission business.

Employees - Any individual employed by the Commission in a full-time, part-time, supplemental, intern, or seasonal capacity, or temporary staff member who is assigned to provide services to the Commission pursuant to a temporary staffing vendor agreement. This definition does not include employees of the PSP or CP.

Protection from Abuse Order (PFA) – The PFA is a legal document that prohibits the abuser from contacting the victim(s) or being in close proximity to the victim(s).

Terroristic Threat – Communications, either directly or indirectly, of a threat to:

- 1) commit any crime of violence with intent to terrorize another;
- 2) cause evacuation of a building, place of assembly or facility of public transportation; or
- 3) otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.

Threats or Acts of Violence - Conduct that creates a hostile, abusive, or intimidating work environment for any Commission Employee or Representative such as, but not limited to, physical confrontations,

abusive language, threatening gestures or remarks, possession of weapons, or any other actions intended to intimidate, harm or retaliate against coworkers, supervisors or the public.

Turnpike Employee Assistance Program (TEAP): A program designed to assist Commission employees and their families with alcohol, drug, emotional, family, financial, marital or personal problems.

Violence - Behavior that results in physical harm to an individual or property, emotional harm to an individual or the threat of such harm to an individual or property.

Warning Signs - An observable behavior which may indicate that an individual may be a higher risk for committing an act of workplace violence. Warning signs may include, but are not limited to, overreacting, offensive or profane language, rapid speech, continual blame or excuses, being overly defensive when criticized or repeated unusual movements such as pounding, banging or slamming one's fist.

Weapon, Firearm or Other Instrument of Force - Examples include, but are not limited to, handguns, rifles, shotguns, razors, clubs, explosives, bow and arrows, tasers, stun-type instruments, etc.

Workplace - Any Commission owned or leased property, location where Commission business is conducted, or site where a Commission Employee or Representative is on-duty. Commission vehicles or private vehicles being utilized for Commission business are included in this definition. Additionally, workplace violence can occur at any location if the violence has resulted from an act or decision made while conducting Commission business.

The critical element in determining if an occurrence is workplace violence is the relationship of the violence to an action taken in the performance of a Commission Employee's or Representative's job assignment. While there is no question that a physical or verbal altercation between two individuals at the worksite during business hours meets the definition of workplace violence, the definition encompasses more. Workplace violence may also occur after normal work hours and away from the worksite.

Zero Tolerance - All reported incidents of workplace violence will be investigated. Appropriate action(s) up to and including termination of employment or termination of business contracts and possible legal action, may be taken for such incidents of workplace violence.

Specific examples of conduct which may be considered an act of violence include, but are not limited to:

1. Hitting, shoving, fighting and stalking;
2. Physically touching another Employee in an intimidating, malicious, or harassing manner;
3. Intentionally destroying or sabotaging Commission equipment or property, or committing, attempting to commit, or threatening to commit acts of destruction (e.g. arson; bomb threats);
4. Making verbal threats of bodily harm towards an individual, his/her family, friends and associates or property;

5. Making physical gestures that may be reasonably perceived as threatening or abusive to people;
6. Harassing or threatening a person by any method, including, but not limited to, the telephone, electronic devices, social media, texting, e-mailing, interoffice mail, note, letter, fax or in person;
7. Making a threat with the intent to place another person in reasonable fear for his/her safety;
8. Intentional and unwanted following of another person (known as stalking);
9. Violence that results in property damage, theft and/or sabotage of property of another individual or the Commission;
10. Attempting to restrain an individual which may include imprisonment, restraint and/or hostage taking; and
11. Suggesting that workplace violence is appropriate and/or making statements indicating approval of the use of violence to resolve problems.

**E. PROCEDURES:**

**High – Immediate Threat of Harm or Violence**

Commission Employees and/or Representatives should immediately call 9-1-1 for assistance.

**Medium – Moderate Risk of Escalation to Harm or Violence**

Commission Employees and/or Representatives should contact the Operations Center for assistance. The Operations Center may dispatch the police, fire, ambulance, crisis intervention or other persons or entities that may be needed to respond to the situation.

**Low – No immediate Threat**

Commission Employees and/or Representatives who become aware of, suspect inappropriate conduct or observe warning signs of unusual behavior including acts by third-parties, should immediately report their concerns to their supervisor or manager. The supervisor or manager should contact the Director of Human Resources to advise them of the concerns.

After receiving the call and dispatching appropriate resources, the Operations Center will use the CERC procedures. The COO will determine the seriousness of the incident and whether the Commission Assessment Team should be activated.

A full investigation may include, but is not limited to, a search of the Employee's or Representative's Commission provided computer or electronic device, office, work area, vehicle or locker. Any Employee or Representative who is determined to have engaged in conduct which has violated this policy will be subject to appropriate discipline and corrective action up to and including termination of his/her

employment, business contract or business assignments. In addition, the Employee or Representative may be subject to criminal prosecution and Commission employee's may also be subject to pension forfeiture.

Supervisors should provide contact information for the Turnpike Employee Assistance Program (TEAP) to Employees who are victims of workplace violence. This information is accessible on the intranet/extranet or by contacting Human Resources (HR).

Reporting Protection from Abuse Orders (PFAs) - While employees are not required to notify HR if they have obtained a Protection from Abuse Order, they are encouraged to inform their supervisor, HR and/or the Compliance Department of such an order.

All Commission Employees and Representatives are responsible for creating and maintaining a safe workplace. Acts of violence, including physical confrontation, abusive language, threatening gestures or remarks, carrying weapons of any kind, making inappropriate references to guns or other weapons or any other actions intended to threaten harm or retaliate against co-workers, supervisors or the public will not be tolerated.

If the investigation of a workplace incident determines that the Employee's or Representative's actions were justified pursuant to 18 Pa. C.S. § 505 (Use of Force for Self-Protection) or § 506 (Use of Force for the Protection of Others) the Employee or Representative will not be subject to discipline under this policy.

The Commission expects that all Commission Employees and Representatives will continue to act responsibly to establish and maintain a safe and secure work environment free from threats and acts of violence and harm.

Questions concerning this policy should be directed to the Director of Human Resources.

*This Policy Letter supersedes all previous Policy Letters on this subject.*

		<b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>	<b>NUMBER:</b> 3.10  <b>APPROVAL DATE:</b> 10-16-2007
<b>POLICY SUBJECT:</b>  Code of Conduct	<b>RESPONSIBLE DEPARTMENT:</b>  Human Resources	<b>EFFECTIVE DATE:</b> 10-31-2007  <b>REVISED DATE:</b> 01-28-2015	

**I. Statement of Purpose and Scope:**

- 1.1. It is the policy of the Pennsylvania Turnpike Commission that efficiency, integrity, appearance and high moral and ethical standards and practices shall prevail in the accomplishment of the work of the Commission.
- 1.2. This Code of Conduct shall supplement all other provisions under Act 44, Chapter 82 (Turnpike Commission Standards of Conduct) and shall provide guidelines applicable to Members, Executive-Level Employees (as herein defined), and Employees and the Immediate Families of the Members, Executive-Level Employees, and Employees to enable them to avoid any perceived or actual conflict of interest and to promote public confidence in the integrity and impartiality of the Commission.

**II. Applicability:**

- 2.1. All Members, Executive-Level Employees and other full time, part time or probationary employees (Employees) must adhere to this Code of Conduct. This Code of Conduct also applies to the Immediate Family of Members, Executive-Level Employees and Employees.
- 2.2. All Members, Executive-Level Employees, and Employees shall participate in an annual training session, provided by the Commission, which addresses this Code of Conduct.

**III. Definitions:**

The following words and phrases when used in this Code of Conduct shall have the meanings given to them in this Part unless the context clearly indicates otherwise:

- 3.1. "BUSINESS." Any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, governmental body, individual, union, committee, club, group of persons or any legal entity organized for profit.
- 3.2. "ASSOCIATED" (WITH A BUSINESS). Any business in which the person or a member of the person's Immediate Family is a director, officer, owner, employee or has a financial interest in a Business.
- 3.3. "CONFIDENTIAL INFORMATION." Information not obtainable from reviewing a public document or from making inquiry to a publicly available source of information.
- 3.4. "CONFLICT" or "CONFLICT OF INTEREST." Use by a Member, Executive-Level Employee, or Employee of the authority of his or her office or employment or any confidential information received through his or her holding the position of Member, Executive-Level Employee, or Employee or employment for the private pecuniary benefit of himself or herself, the Immediate Family of the Member, Executive-Level Employee, or Employee, or a business with which the Member, Executive-Level Employee, or Employee, or the Immediate Family of the Member, Executive-Level Employee, or Employee is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the Member, Executive-Level Employee, or Employee, the Immediate Family of any Member, Executive-Level Employee, Employee, or a business with which the Member, Executive-Level Employee, or Employee, or the Immediate Family of a Member, Executive-Level Employee, or Employee is associated.
- 3.5. "COMMISSION." The Pennsylvania Turnpike Commission.
- 3.6. "DE MINIMIS ECONOMIC IMPACT." An economic consequence which has an insignificant effect.
- 3.7. "EXECUTIVE-LEVEL EMPLOYEE." The Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Chief Counsel, Chief Engineer, Chief Information Officer, Chief Compliance Officer or any other senior management employee with discretionary powers (including but not limited to the Director of Contracts Administration, Manager of Strategic Sourcing and Asset Management, Contract

Management Services Manager and Assistant Chiefs) which may affect the outcome of a Commission action or decision or who functions in press or public relations, legislative liaison, contracts administration, purchasing or development of executive policy.

- 3.7(a) "COMMITTEE MEMBER." Any Executive-Level Employee or Employee who serves on a Commission committee responsible for considering proposals, responses, statements of interest, and/or bids from any person or entity that seeks to do business with the Commission.
- 3.8. "EMPLOYEE." Any person who receives compensation from the Commission on an hourly, daily or annual wage basis. This definition includes full time, part time or probationary basis.
- 3.9. "HAVE AN ADVERSE INTEREST." Be the party to a contract (as defined in 71 P.S. § 776.2(4)) other than the Commonwealth of Pennsylvania, the Commission, or a State Agency (as defined in 71 P.S. § 776.2(8)) or be a stockholder, partner, member, agent, representative or employee of such party.
- 3.10. "IMMEDIATE FAMILY." A spouse, parent, brother, sister, or child.
- 3.11. "FACILITY." Rest areas, service plazas, restaurants, fueling stations, traffic advisory systems, call boxes or other services provided by the Commission to persons using toll roads or highways operated by the Commission.
- 3.12. "FINANCIAL INTEREST." Any financial interest in a legal entity engaged in business for profit which comprises more than 5% of the equity of the business or more than 5% of the assets of the economic interest in indebtedness.
- 3.13. "GIFT." Anything which is received without consideration of equal or greater value. The term shall not include a political contribution otherwise reported as required by law or a commercially reasonable loan made in the ordinary course of business.
- 3.14. "MEMBER." A Commissioner appointed to the Commission, including the Secretary of Transportation, and any successor entity thereto.
- 3.15. "OWNERSHIP INTEREST." Owning or holding, or being deemed to hold, debt or equity securities or other ownership interest or profit interest.
- 3.16. "PARTY OFFICER." A member of a National committee of a political party; a chairman, vice chairman, secretary, treasurer or counsel of a State committee or

member of the Executive Committee of a State Committee of a political party; or a County chairman, vice chairman, counsel, secretary, or treasurer of a County committee or a City chairman, vice chairman, counsel, secretary, or treasurer of a City committee of a political party.

- 3.17. "PENNSYLVANIA TURNPIKE COMMISSION." An entity formed or maintained under authority of the Act of May 21, 1937 (P.L. 774, No. 211), referred to as the Pennsylvania Turnpike Commission Act, and the Act of September 30, 1985 (P.L. 240, No. 61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, or any successor entity.
- 3.18. "PUBLIC OFFICIAL." Any official elected to a Federal, State or County office.
- 3.19. "RECOMMEND." To praise or commend to another as being worthy or desirable; endorse.
- 3.20. "SUGGEST." To offer for consideration or action; propose.

**IV. Conflicts of Interest and the Appearance of Conflicts of Interest:**

- 4.1. No Member, Executive-Level Employee, or Employee shall engage in conduct that constitutes an actual or perceived conflict of interest.
- 4.2. Members, Executive-Level Employees, and Employees shall refrain from any financial or business dealings that would affect the Member's, Executive-Level Employee's, or Employee's objectivity, impartiality or independence of judgment.
- 4.3. No Member, Executive-Level Employee or other Employee shall influence, or attempt to influence, the making of or supervise or in any manner deal with any contract in which he or she has an adverse interest.
- 4.4. No Executive-Level Employee or other Employee shall have an adverse interest in any contract with the Commission.
- 4.5. No Member, Executive-Level Employee or other Employee may solicit or accept for the personal use of the Member, Executive-Level Employee, other Employee or another any discount, gift, gratuity, favor, entertainment, compensation, travel, lodging, hospitality, loan or other thing of monetary value, including in-kind gift, directly or indirectly, from any person, facility, vendor, consultant or business, including from employees of that facility, vendor, consultant or business who:

- (1) Is seeking to obtain business from the Commission or with which the Commission has a contractual relationship.
- (2) Conducts operations or activities that are regulated by the Commission.
- (3) Is engaged, either as a principal or attorney, in proceedings before the Commission or in court proceedings in which the Commission is an adverse party.
- (4) Has interests that may be substantially affected by the performance or nonperformance of the official duty of the Member, Executive-Level Employee or other Employee.

4.6. Notwithstanding the preceding provision, a Member, Executive-Level Employee, or Employee may:

- (1) Accept something of monetary value from a spouse, parent, parent-by-marriage, sibling, child, grandchild or other family member or friend when the circumstances make it clear that the motivation for the action was a personal or family relationship rather than the position of the Member, Executive-Level Employee or other Employee.. Relevant factors in making such a determination include the history of the relationship (for example, does the friendship pre-date employment by the Commission) and whether the family member or friend pays for the gift. For purposes of this paragraph, the term "friend" shall not include a registered lobbyist or an employee of a registered lobbyist.
- (2) Accept loans from banks or other financial institutions on customary terms of finance for proper and usual activities, such as home mortgage loans.
- (3) Participate in widely attended gatherings free of charge when officials have been invited and are acting in furtherance of their official duties. No food or drink can be accepted without payment at market value the value of which, upon presentation of a receipt, may be submitted for reimbursement in accordance with the Commission Travel Procedures Manual.

4.7. No Member, Executive-Level Employee, Committee Member, or the Immediate Family of such person shall participate in any deliberations or vote of the

Commission in which that person may have a direct or indirect pecuniary interest.

- 4.8. A Member shall abstain from any vote or decision which authorizes a contract in which the member has any pecuniary interest. The Member shall disclose the interest in a public meeting prior to the vote or decision. Failure to comply with this paragraph shall render the contract null and void.
- 4.9. No Member or Executive-Level Employee may solicit, request, suggest or recommend the employment, by either the Commission or a contractor with the Commission, of any individual related within the first degree of consanguinity to the Member or the spouse of the Member or Executive-Level Employee as set forth in 23 Pa.C.S. § 1304(e) (relating to restrictions on issuance of license). The first degree of consanguinity encompasses a parent, sibling, aunt, uncle, grandparent, grandchild, child or first cousin.
- 4.10. At the time of Appointment and annually thereafter, each Member shall disclose the existence of all ownership interests in any Facility, Vendor, Consultant or Business with which the Commission has contracted.
- 4.11. The disclosure statement under the preceding paragraph shall be filed with the Chief Executive Officer of the Commission and shall be open to inspection by the public at the office of the Commission during normal business hours of the Commission during the tenure of the Member.

**V. Future Employment:**

- 5.1. No former Member or Executive-Level Employee may receive any pecuniary benefit from a contract between the Commission and the employer of the former Member or Executive-Level Employee for a period of one year from the termination of employment or service with the Commission.
- 5.2. No former Member or Executive-Level Employee may solicit any contracts with the Commission for a period of one year from the termination of employment or service with the Commission.

**VI. Non-Profit Service:**

- 6.1. No Member, Executive-Level Employee, or Employee may use the promise of business with the Commission to solicit funds for any charitable, educational, religious, health, fraternal, civic or other non-profit entity, or any political campaign or candidate.

- 6.2. A Member or Executive-Level Employee may serve as an officer, employee or member of the governing body of a non-profit entity, subject to the other provisions of this policy, and may attend, make personal contributions to and plan or preside over the entity's fundraising events.
- 6.3. A Member or Executive-Level Employee may permit his or her name to appear on the letterhead used for fundraising events if the letterhead contains only the Member's or Executive-Level Employee's name and position with the non-profit entity.

**VII. Confidential Information:**

- 7.1. No Member, Executive-Level Employee or other Employee shall use or disclose Confidential Information obtained in the performance of his or her duties for personal benefit or for the benefit of any person or entity other than the Commission.
- 7.2. No Member, Executive-Level Employee or other Employee shall divulge Confidential Information to any unauthorized person or release any information in advance of the time prescribed for its release, for the financial or pecuniary gain of himself/herself or others.

**VIII. Conviction of Crime:**

- 8.1. A Member who, during his or her term, is convicted of a felony in any Domestic or Foreign jurisdiction shall, upon conviction, be automatically removed from the Commission and shall be ineligible to become a Member in the future.

**IX. Public Office and Party Affiliation:**

- 9.1. Except for the Secretary of Transportation, no Member or Executive-Level Employee shall be a Public Official or Party Officer in the Commonwealth of Pennsylvania.
- 9.2. No Executive-Level Employee or Employee shall (a) engage in any political activity (such as campaigning, fundraising, canvassing, or pollwatching) during his or her specified working hours or which is determined by the Commissioners to conflict or interfere with the ability of the Executive-Level Employee or Employee to effectively and efficiently carry out the duties and functions of his or her position, (b) use or allow others to use Commission facilities, resources, equipment, vehicles or electronic devices for political activities, or (c) in any manner coerce any other person employed by the Commission to contribute

time, money, or services to a political candidate or campaign. Individuals not employed by the Commission are also prohibited from using Commission facilities, resources, equipment, vehicles or electronic devices for political purposes.

- 9.3. No Executive-Level Employee or Employee shall be a candidate for nomination or election to any State or Federal Office unless he or she shall have first resigned from his or her employment with the Commission. State Office shall be deemed to include the following offices in the Commonwealth of Pennsylvania: Governor, Lieutenant Governor, Attorney General, Auditor General, State Treasurer, Senator and Representative in the General Assembly, and Judge or Justice of any Court of the Commonwealth, including Magisterial District Court and Municipal Court. Federal Office shall be deemed to include Senator and Representative in the United States Congress.<sup>1</sup>

**X. Job Performance of Employees:**

Each Employee shall:

- 10.1. Perform all assigned duties in a professional manner.
- 10.2. Become familiar with the policies and regulations of the Commission applicable to his or her assignment.
- 10.3. Implement and adhere to the policies of the Commission including this Code of Conduct.
- 10.4. Strive to improve job performance so as to render service at the highest level of competence.
- 10.5. Respect the Rules and Regulations of the Commission and ensure they are administered fairly.
- 10.6. Transact public business with dignity, courtesy, honesty and integrity.
- 10.7. Bring to the attention of the Chief Compliance Officer of the Commission (or the Chief Counsel of the Commission if the matter involves the Compliance

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<sup>1</sup> The terms "candidate" and "election" as used in 9.3 are defined in the Pennsylvania Election Code, act of June 3, 1937, P.L. 1333, as amended, 25 P.S. § 2602 ("(a) The word "candidate" shall, unless the context otherwise requires, include both candidates for nomination and election. . . . (f) The word "election" shall mean any general, municipal, special or primary election, unless otherwise specified.").

Department) those matters pertaining to Commission business which represent activities that may be contrary to the objectives of the Commission.

- 10.8. Refrain from engaging in any activity that would reflect unfavorably on or discredit the Commission.

**XI. Applicability of Other Laws:**

In addition to the standards set forth in this Code of Conduct, the Commission and its Members and Executive-Level Employees shall comply with the following Acts:

- 11.1. The Act of June 21, 1957 (P.L. 390, No. 212), referred to as the Right-to-Know Law.<sup>2</sup>
- 11.2. The Act of July 19, 1957 (P.L. 1017, No. 451), known as the State Adverse Interest Act.
- 11.3. Except in those instances where this Code of Conduct is more restrictive, 65 Pa.C.S. Chapters 7 and 11, known as the Pennsylvania State Ethics Act (relating to open meetings, ethical standards and financial disclosure). This includes the requirement that all Members and Executive-Level Employees file an annual statement of financial interests under 65 Pa.C.S. § 1104.

**XII. Violations of Code of Conduct:**

- 12.1. Violations of this Code of Conduct shall result in appropriate disciplinary action up to and including termination.
- 12.2. Known violations of Code of Conduct (by self or others) must be reported to the Chief Compliance Officer of the Commission (or the Chief Counsel of the Commission if the violation involves the Compliance Department).

**XIII. Effective Date:**

- 14.1. This Code of Conduct shall be effective as of October 31, 2007.

**XIV. Inquiries:**

- 15.1. Any questions concerning the scope or interpretation of this Code of Conduct or whether any particular conduct is permissible hereunder should be directed to the Chief Counsel of the Commission.

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<sup>2</sup> Replaced by the Right-to-Know Law ("RTKL"), Act of February 14, 2008, P.L. 6, 65 P.S. §§ 67.101–67.3104. See *Bowling v. Office of Open Records*, 75 A.3d 453 (Pa. 2013).

**XV. Acknowledgement and Receipt:**

- 16.1. The Commission requires each Member, Executive-Level Employee and/or Employee to acknowledge receipt and execute an agreement to be bound by the terms and conditions of this Code of Conduct. Any person within the scope of the Code of Conduct shall be deemed bound by its terms and conditions notwithstanding any failure to execute or deliver an acknowledgement and receipt.

**ACKNOWLEDGEMENT AND RECEIPT OF**

**CODE OF CONDUCT OF THE PENNSYLVANIA TURNPIKE COMMISSION**

I acknowledge receipt of the Code of Conduct and agree to abide by all policies and provisions of the Code of Conduct applicable to my position. I understand that any violation may result in disciplinary action ranging from reprimand to termination. I will not engage in any conduct which violates the Code of Conduct and will immediately disclose any circumstances which I reasonably believe may be, or may have been a violation of the Code of Conduct to the Chief Compliance Officer (or the Chief Counsel of the Commission if the violation involves the Compliance Department).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

*This Policy Letter supersedes all previous Policy Letters on this subject.*

	<b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>NUMBER:</b> 5.04  <b>APPROVAL DATE:</b> 00-00-0000
	<b>POLICY SUBJECT:</b>  Turnpike Safety Responsibility	<b>RESPONSIBLE DEPARTMENT:</b>  Traffic Engineering and Operations	<b>EFFECTIVE DATE:</b> 09-27-1976  <b>REVISED DATE:</b> 01-29-2001

**A. PURPOSE:**

This represents a reaffirmation of responsibility for each employee of the Pennsylvania Turnpike Commission, particularly those who travel the Turnpike either in their own vehicles or in assigned Turnpike vehicles the procedure for reporting any vehicle they observe operating in a hazardous or reckless manner.

**B. SCOPE:**

This policy applies to all employees of the Pennsylvania Turnpike Commission.

**C. GENERAL POLICY:**

Any employee of the Pennsylvania Turnpike Commission operating a radio-equipped vehicle, while on the Turnpike, who observes any vehicle operating in a hazardous manner, shall immediately furnish the following information to the Operations Center: milepost, direction of travel, make of vehicle and color, registration number, action of vehicle (reckless driving, high speed, etc.). This service has been considered Turnpike policy, and this simply reaffirms to us that it is part of Turnpike safety responsibilities.

**D. DEFINITIONS:**

Reporting a vehicle operating in a hazardous manner is the only action that will be required. Pursuit of any vehicle **will not** be made.

**E. PROCEDURES:**

For those traveling the Turnpike in vehicles not equipped with a Turnpike radio, contact should be made with the Operations Center via cell phone (\*11), at the nearest Turnpike maintenance building, or at any toll plaza where a toll-free telephone is available.

*This Policy Letter supersedes all previous Policy Letters on this subject.*

 <b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>	<b>NUMBER:</b> 5.05
	<b>APPROVAL DATE:</b> 10-17-2000
<b>POLICY SUBJECT:</b> Workplace Safety and Health	<b>RESPONSIBLE DEPARTMENT:</b> Human Resources
	<b>EFFECTIVE DATE:</b> 11-02-2000 <b>REVISED DATE:</b> 03-20-2018

**A. PURPOSE:**

The purpose of this Policy is to outline the procedures to be followed to promote the safety and health of employees of the Pennsylvania Turnpike Commission (PTC). The Employee Safety Unit within the Human Resources Department (Safety Unit) is charged with the responsibility to establish a framework of programs that foster a culture of maintaining a safe and healthy working environment, which results in a decrease of workplace injuries.

This Policy provides general guidance to all employees to address program requirements of a successful workplace safety and health program such that:

- Employees witnessing unsafe/unhealthy conditions immediately report the unsafe/unhealthy condition to a supervisor;
- Safe working practices are incorporated into all work operations;
- All employees are required to follow safe work practices;
- Safety procedures are developed and implemented in a consistent manner and in compliance with all Commission policies, procedures and directives and with all other applicable laws including, but not limited to, those referred to in the Accident and Illness Prevention Program (AIPP) protocols;
- Safety training is provided to all employees;
- Reports of unsafe or unhealthy conditions or work practices will be promptly addressed; and
- An annual review of all policies and procedures will be conducted to assess performance and recommend improvements.

**B. SCOPE:**

This Policy applies to all PTC employees.

**C. GENERAL POLICY:**

The PTC is committed to providing a safe and healthy work environment and improving productivity through accident and injury prevention programs.

All employees are expected to share in the commitment to safety and health. The prime responsibility for the safety and health of our employees rests with all employees, including all levels of management. Managers shall promote an effective and efficient safety and health program structured to eliminate and/or reduce injuries to employees as well as reduce the loss of materials and equipment. Employees shall be responsible to:

- Know and adhere to established safety procedures;
- Properly utilize and maintain all Commission equipment provided and/or required personal protective equipment;
- Report all unsafe acts or conditions immediately to a supervisor; and
- Participate in all required safety training and education.

This policy is to promote a workplace free from recognizable and correctable hazards.

In addition to complying with applicable Federal, State and Local laws, the PTC must also meet the requirements of the Accident and Illness Prevention Program (AIPP). The PTC seeks to promote a culture of safety which will result in a safer work environment and reduce the losses associated with workplace injuries.

#### **D. DEFINITIONS:**

Accident and Illness Prevention Program (AIPP) - The program elements and protocols required of a Workplace Safety and Health Program, as set forth by the *Workers' Compensation Act, Article X and 34 PA Code Chapter 129*.

Applicable Federal, State, and Local Laws – Any act of Congress, State statute, and/or any local ordinances that apply to the safety and welfare of an employee of the PTC.

Employee - Any person who receives compensation from the PTC on an hourly, daily or annual wage basis. This definition includes full time, part time or probationary basis.

Employee Safety and Health Program – Plan of action designed to create a safe workplace and reduce accidents and occupational diseases as defined and/or revised by the Safety Unit.

#### **E. PROCEDURES:**

The Safety Unit shall provide a framework for PTC workplace safety and health programs that will result in a safer workplace environment and contribute to a reduction of employee injuries, as well as a decrease in the loss of PTC materials and equipment. The Safety Unit shall work with each PTC Department to develop, implement, and maintain a compliant and effective Employee Safety and Health Program.

The Safety Unit is responsible for the development and maintenance of the employee safety and health programs and the manuals generated in accordance with those programs. The Safety Unit is also responsible for ensuring compliance with all Federal, State and local laws, including, but not limited to, the requirements of the AIPP program.

The Safety Unit shall evaluate the effectiveness of the Employee Safety and Health Program at least annually to ensure compliance, identify opportunities for improvements, and update procedures as necessary.

**F. DISCIPLINARY ACTION:**

There are certain acts that will give rise to corrective action which could result in disciplinary action, up to and including termination. Union employees will be disciplined according to the applicable Collective Bargaining Agreement or Memorandum of Understanding.

*This Policy Letter supersedes all previous Policy Letters on this subject.*

	<b>PA TURNPIKE COMMISSION POLICY</b>	<b>NUMBER: 8.01</b>
<i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>APPROVAL DATE: 10-18-2011</b>
<b>POLICY SUBJECT:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>EFFECTIVE DATE: 10-18-2011</b>
<b>Acceptable Use of Commission Technology Resources</b>	<b>Information Technology</b>	<b>REVISED DATE: 11-04-2014</b>

**A. PURPOSE:**

The purpose of this policy is to inform Pennsylvania Turnpike Commission (Commission) authorized users of the policies, responsibilities and procedures related to the acceptable use of Commission Technology Resources. Every effort must be made to ensure the confidentiality, integrity, and availability of Commission information assets and to assist the Commission in complying with applicable state and federal laws. All Commission authorized users are required to read this policy and sign the applicable Acceptable Use of Technology Resources Acknowledgment form to verify their understanding of this policy.

**B. SCOPE:**

This policy applies to all Commission authorized users, including full-time, temporary, supplemental and summer employees ("Employees"), and contractors, and independent consultants ("Contractors and Consultants") (collectively referred to as "Authorized Users"). This policy should be read in conjunction with the Commission's Code of Conduct.

**C. GENERAL POLICY:**

**Acceptable Use of Commission Technology Resources ("Technology Resources") by Authorized Users.** This policy is designed to prevent use that may be illegal, unlawful, abusive, or which may have an adverse impact on the Commission or its Technology Resources. In addition, it identifies the permissible and effective uses of Technology Resources.

**Abuse or misuse of Technology Resources.** The improper use of Technology Resources by Employees may result in disciplinary action, up to and including termination of employment. The improper use of technology resources by Contractors or Consultants may result in disciplinary action that may include termination of engagement, and other formal action under the terms of the applicable contract or debarment under the Commonwealth Contractor Responsibility Program. When warranted, the Commission may pursue or refer matters to other authorities for criminal prosecution against anyone who violates local, state or federal laws through the misuse of Technology Resources.

**Violations of this policy are to be referred to the Information Security Office or the Compliance Department.** Authorized Users are encouraged to assist in the enforcement of

these standards by promptly reporting any observed violations to the Information Security Office or the Compliance Department (e.g. the Fraud and Abuse Hotline). Violations of this policy may not be investigated independently by individuals or departments.

**Ownership of Technology Resources.** All Technology Resources are the sole and exclusive property of the Commission. Authorized Users have no property or other rights to any Technology Resource and do not control the access to or the use of Technology Resources.

**Authorized Users have no expectation of privacy when using Technology Resources.** Authorized Users have no expectation of privacy in any electronic files, data or records stored on or accessed through Technology Resources nor in any communications sent or received via, or stored within, Technology Resources.

**Authorized Users may not access unauthorized data and should take measures to protect the security of their data.** As part of the privilege of being an Authorized User, Authorized Users may not attempt to access any data or Technology Resources for which they do not have authorization or explicit consent. Authorized Users must use passwords and/or encryption in a manner that is consistent with Commission technology standards. Authorized Users must keep passwords secure and must not share them with others. During the normal workday, the lock computer feature must be used to protect the workstation in order to prevent unauthorized access. An individual who has been assigned a portable computing device, such as a laptop, tablet or smartphone, must not leave the computing device unattended in unsecured/public areas.

**Authorized Users must maintain the confidentiality of sensitive data.** The unauthorized access to, disclosure or dissemination of Commission or other sensitive, privileged or confidential information, including, but not limited to, personally identifiable, protected health, attorney-client privilege or financial information, is not permitted. Information that is transmitted over public networks may be intercepted, or modified by persons other than the intended recipients of that information. Therefore Authorized Users must use a Commission provided Virtual Private Network (VPN) connection when transmitting confidential or sensitive information over a public network. Appropriate precautions as prescribed by the Information Security Office must be taken when sending Commission confidential or other sensitive information to an external recipient. Individuals shall not make unauthorized copies of confidential, sensitive or privileged information. The Commission provides applications to support business purposes. These Commission applications also help to ensure the confidentiality of sensitive data, prevent data loss, and support records management requirements. Authorized Users should use Commission provided business applications (including email) when conducting Commission business. Further, if a user is notified that Technology Resources in his or her possession are subject to a litigation or records hold, s/he must take the steps necessary to comply with the hold requirements.

**Technology Resources are intended for business use and should be used primarily for that purpose.** Technology Resources are tools that the Commission has made available for Commission business purposes. Where personal use of Technology Resources does not interfere with the efficiency of operations and is not otherwise in conflict with the interests of the Commission, limited use for personal purposes is permitted consistent with other Commission policies and the standards set forth in the Commission's Code of Conduct. Streaming of non-

business media at the workplace is not permitted. The use of Technology Resources to operate a personal business, for personal gain in any form, or for other inappropriate use is prohibited. Any personal use which is inconsistent with Commission policy or law is prohibited. Examples of unacceptable personal use may be communicated from time to time and will have the same force and effect as if specifically listed in this policy.

**Technology Resources must never be used in a manner that violates Commission policies.** The use of Technology Resources to send, view, access, download, store, display, print, or otherwise disseminate material that is sexually explicit, suggestive or pornographic, profane, obscene, threatening, discriminatory, harassing, fraudulent, otherwise offensive, defamatory, or unlawful is strictly prohibited. The use of Technology Resources to degrade performance, deprive access to a corporate resource, or gain access to a system or information for which proper authorization has not been given is also strictly prohibited.

**All Authorized Users must be provided with this directive.** All Authorized Users shall be provided a copy of this policy and are required to read and sign the applicable Acceptable Use of Technology Resources Acknowledgment form to verify their receipt and understanding of this policy. Employees are required to sign the form provided as Attachment A, and Contractors and Consultants are required to sign the form provided as Attachment B, prior to their use of or access to Technology Resources. Copies of this policy may be provided either electronically or in hard copy.

**D. DEFINITIONS:**

**Authorized Users** - Any employee who receives compensation from the Commission on an hourly, daily, or annual basis including full time, part time or probationary or is authorized by statute ("Employees"), and Contractors and Independent Consultants that use or have access to Commission Technology Resources.

**Technology Resources** - Commission Technology Resources include, but are not limited to, the following: all data and records, including those pertaining to computer use, internet use, email communication and other electronic communication (whether sent, received, or stored), as well as the content of such communications; Commission's computer systems, together with any electronic resource used for communications, which includes but is not limited to laptops, individual desktop computers, wired or wireless telephones, cellular phone, smartphones, tablet computers, servers, virtual machines, routers/switches, etc. and further includes use of the internet, electronic mail (email), instant messaging, texting, voice mail, facsimile, copiers, printers or other electronic messaging through Commission facilities, equipment or networks.

**E. PROCEDURES:**

**For Authorized Users**

The Information Security Office and Human Resources must work together to ensure that all Authorized Users read this policy and sign the applicable Acceptable Use of Technology Resources Acknowledgment form to verify their receipt and understanding of this policy. Employees are required to sign the form provided as Attachment A and Contractors and Consultants are required to sign the form provided as Attachment B. Copies of signed forms will be maintained as part of the Employee's official personnel file or, in the case of Contractors and Consultants, in the Information Security Office's files.

### **For New Employees**

- Human Resources will notify the Information Security Office regarding an employee's start date and position.
  
- Information Security will:
  - o Verify the Technology Resources that the employee will need in his/her position.
  - o Create a user account and assign required access privileges.
  
- On or before the new employee's start date, Human Resources will notify the Information Security Office that they are in receipt of a signed Acceptable Use of Technology Resources Policy acknowledgement form from the new employee.
  
- The Information Security Office will then provide the new employee's manager with related Technology Resources login information. **Note:** This information will **not** be given to the employee's manager until Human Resources verifies receipt of the new employee's signed acknowledgement form.

### **For Contractors and Consultants**

- The Commission employee responsible for managing a contractor or independent consultant shall submit a request (using IT's established service desk process) to provide the contractor or independent consultant with access to required Technology Resources at least three (3) business days prior to the contractor's or independent consultant's arrival.
  
- Information Security will send a request for approval to the CEO/COO's direct report in the department in which the contractor or independent consultant will be working and remind the direct report that the Acceptable Use of Technology Resources Policy Acknowledgement form must be signed by the contractor or independent consultant and returned to the Information Security Office before any Technology Resource access shall be provided.
  
- Upon receipt of the direct report's approval and the signed Acceptable Use of Technology Resources Policy Acknowledgement form, the contractor or independent consultant will be provided with the requested access privileges and the Information Security Office will provide the employee who initiated the request with the Technology Resources login information.
  
- Contractors and Consultants and the employee responsible for managing the Contractor's and Consultant's engagement must notify the Information Security Office upon the termination of the engagement for which the Contractor and Consultant obtained access to Commission Technology Resources. Upon notification, the Information Technology Department will remotely remove all Commission applications and data from the device. The Commission may, in its sole discretion, also terminate access to Commission Technology Resources at any time.

**Exceptions.** Any exception to this policy must be approved in advance by the Chief Information Officer (CIO).

*This Policy Letter supersedes all previous Policy Letters on this subject.*

Attachment A

# Acceptable Use of Technology Resources Policy

## Employee Acknowledgement

I hereby acknowledge that I have received, read, and understand the attached Acceptable Use of Technology Resources Policy, and agree to abide by the requirements set forth in it.

I understand that disciplinary action, up to and including termination, may be taken if I fail to abide by the requirements of this agreement.

I further understand that my Commission Technology Resource usage, including electronic communications such as email, voice mail, text messages and other data and records, may be accessed and monitored at any time, with or without advance notice to me.

I understand that if I need further clarification or additional information, I may contact the Information Security Office.

The Commission can, at any time, and in its sole discretion, modify this user agreement and require mobile device users to reconfirm their agreement to abide by and comply with the terms of the modified agreement.

**Print Name** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

## Acceptable Use of Technology Resources Policy

### Contractor or Independent Consultant Acknowledgement

This user agreement does not prohibit contractors or consultants from performing services required by their contract with the Commission.

I hereby acknowledge that I have received, read, and understand the Acceptable Use of Technology Resources Policy, and agree to abide by the requirements set forth in it.

I understand that the Commission may revoke my privileges at any time for any reason, and/or take appropriate action as specified in my contract with the Commission, as well as under the Commonwealth's Contractor Responsibility Program.

I further understand that my Commission Technology Resource usage, including electronic communications such as email, voice mail, text messages and other data and records, may be accessed and monitored at any time, with or without advance notice to me.

I further understand that if I need further clarification or additional information, I may contact the Information Security Office.

The Commission can, at any time, and in its sole discretion, modify this user agreement and require mobile device users to reconfirm their agreement to abide by and comply with the terms of the modified agreement.

Print Name \_\_\_\_\_

Company \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

 <b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>NUMBER:</b> 8.05  <b>APPROVAL DATE:</b> 10-18-2011  <b>EFFECTIVE DATE:</b> 11-02-2011  <b>REVISED DATE:</b> 10-03-2011
<b>POLICY SUBJECT:</b>  Licensed Software Use	<b>RESPONSIBLE DEPARTMENT:</b>  Information Technology	

**A. PURPOSE:**

The Pennsylvania Turnpike Commission (PTC) licenses the use of computer software from a variety of software vendors. Such software is normally copyrighted by the software developer and, unless expressly authorized to do so, the PTC has no right to make copies of the software except for backup or archival purposes. The purpose of this policy is to prevent copyright infringement and to protect the integrity and productivity of the PTC's computer environment.

**B. SCOPE:**

This policy applies to all members of the PTC workforce, including full-time, temporary, supplemental, summer, and contract employees, independent consultants, visitors or other agents who operate any PTC owned end user computing or communication device including, but not limited to, desktops, workstations, laptops and smart-phones.

**C. GENERAL POLICY:**

It is the policy of the PTC to respect all computer software copyrights and to adhere to the terms of all software licenses to which the Commission is a party. The Chief Information Officer or his designee is charged with the responsibility for monitoring compliance with the policy.

PTC employees may not duplicate any licensed software or related documentation unless the PTC is expressly authorized to do so by agreement with the licensor. Unauthorized duplication of software may subject employees or the PTC to civil and criminal penalties under the United States Copyright Act. Anyone found copying software other than for backup purposes is subject to disciplinary action up to and including termination.

Employees may not give software to any outsiders including: clients, contractors, customers, and others.

PTC employees may use software on information systems only in accordance with applicable license agreements and they are obligated to comply with the terms described under 8.1 Electronic Communication Acceptable Use Policy.

The PTC's computers are company assets and must be kept both software legal and virus free. Only software purchased through the procedures outlined below and installed by the IT technicians may be used on PTC computer assets. Employees are not permitted to bring software from home and load it on PTC computers or run it from auxiliary drives.

PTC owned software cannot be taken home and loaded on an employee's home computer. In special circumstances, PTC management may authorize the loading of PTC owned software on non-PTC computers as long as the licenses are properly paid and recorded.

Under no circumstances are those persons in the scope of this policy to download, install, copy, access, execute or otherwise employ any of the following: Illegal software or programs, Unlicensed software, Unapproved or unlicensed operating systems, Pirated software, Software purchased for personal or home use.

**D. DEFINITIONS:**

**Standard Software.** The Information Technology (IT) Department has established software standards for the desktop environment to control integration with custom applications, to maintain acceptable levels of support, and to minimize training requirements. The standard software, tools and utilities are published on the PTC Intranet in the Information Technology Department Technology Infrastructure Desktop Operations Section. Updates and patches are applied to these standards as appropriate. Unless an extraordinary need exists, no competing software shall replace the established software standard.

**Exception Software.** Exception software is used primarily by a person or work unit to perform tasks that cannot be accomplished by use of the standard suite of software. The majority of this software will be loaded directly to the employee's hard drive by an IT technician without alteration to the hardware or existing software.

**Shareware/Freeware.** Shareware software is copyrighted software that is distributed freely through the Internet. It is the policy of the PTC to pay shareware authors the fee they request for use of their products. The acquisition and installation of shareware/freeware products should be handled the same way as commercial software products.

**Employee.** In the context of this document, employee means everyone listed in the Scope section of the policy.

**E. PROCEDURES:**

**Employee Orientation/Awareness.** New PTC employees shall be made aware of this policy by the Human Resources Department.

**Acquisition of Software.** To purchase or evaluate software, employees must follow the IT Request procedure. The request is reviewed by the Information Technology Department to ensure that the software is compatible with existing PTC standards and systems and that it can be maintained and supported. All software acquired by the PTC must be purchased

through the Purchasing Department or another approved method. Software acquisition channels are restricted to ensure that the PTC has a complete record of all software purchased for PTC computers and to evaluate, support and upgrade such software accordingly.

**Installation of Software.** Software may be installed or reinstalled electronically by IT technical staff using approved distribution tools. Manual installation or reinstallation of software must be performed by IT technical staff after approved by the IT Request or Service Call procedure. IT technical staff may install specialized software tools to resolve Service Desk tickets or for software research and testing. Original software media shall be kept in a safe storage area maintained by Information Technology. Manuals, tutorials and other user materials are generally available online. Additional training may be requested through the IT Request procedure.

**Periodic Audits.** Electronic client machine audits are conducted regularly or periodically to ensure that the PTC is complying with all software licenses. During an audit, the PTC will search for unauthorized software and eliminate any that is found. The software will be uninstalled electronically if possible without notification or by a qualified IT technician. Either process may result in the employee's computer being re-imaged. The violation will be reported to the employee's supervisor and the Chief Information Officer. If requested, users must surrender in a timely manner software licenses, software disks, CD-ROMs and DVDs and other software and application materials deemed out of compliance with this policy and discontinue its use.

**Reports of Suspected Violations.** Any employee who determines that there may be a misuse of software within the PTC shall notify their department manager, the Inspector General or legal department.

*This Policy Letter supersedes all previous Policy Letters on this subject.*

		<b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>	<b>NUMBER:</b> 8.06  <b>APPROVAL DATE:</b> 09-17-2013  <b>EFFECTIVE DATE:</b> 10-02-2013  <b>REVISED DATE:</b> 06-05-2018
<b>POLICY SUBJECT:</b>  Records Management Policy	<b>RESPONSIBLE DEPARTMENT:</b>  Information Technology		

**A. PURPOSE:**

The Records Management Policy is intended to:

Ensure that the PTC complies with legal requirements for records (e.g. litigation, government investigations, and audits);

Ensure that employees maintain only those records that are needed for legal compliance and that support current PTC operations;

Ensure that employees comply with currently established records retention requirements as specified in the Records Retention Schedule.

**B. SCOPE:**

The Records Management program applies to all Official PTC Records maintained in any form or format (e.g. physical form such as paper, map, book, or test boring samples, or electronic form such as computer internal hard drive, external drive, handheld devices, flash drives, or any other device).

**C. GENERAL POLICY:**

Keep Official PTC Records for as long as stated in the Records Retention Schedule and in compliance with any other legal requirements (e.g. a Litigation Hold); do not destroy Official PTC Records before the retention period ends or retain them after the retention period has elapsed. Destroy Official PTC Records at the end of the stated retention period unless a Litigation Hold is in place. Upon the issuance of a Litigation Hold or Mandatory Preservation Notice, suspend all record destruction procedures.

Ownership - All PTC business-related documents and records are the sole property of the PTC, and employees have no expectation of a personal or property right to these documents and records, including those created by the employee.

Record Creation and Destruction - All Official PTC Records should be created with a specific purpose to communicate or document PTC business matters. Employees should use discretion and professionalism when creating records to ensure that the records appropriately reflect the business

interests of the PTC. Employees should act as if every PTC business record that they create is discoverable in litigation regardless of the record's storage medium (including electronic records) and regardless of the record's physical location.

**Approved Locations** - Records shall remain on PTC premises or at PTC-approved locations. Records must never be permanently stored at employees' homes. However, the temporary use of PTC records at home is acceptable when a management approved legitimate business need exists. The PTC has designated locations to store the PTC's inactive records; employees should send only those inactive records as defined by the Records Retention Schedule to these locations.

**Security and Access Control** - All employees are responsible for maintaining the confidentiality of PTC records and preventing unauthorized disclosure to anyone, including PTC employees who do not have a need to know. Only designated employees may request records from storage. Employee access to records is limited to records owned by the employee's department. Those departments that require access to records owned by another department must contact the appropriate department directly to request such access. Records must not be permanently stored on mobile computing devices. If a business need exists, records may be temporarily stored on a device; however immediately after use, these records must be removed from the device and stored on the PTC network according to the Records Retention Schedule.

**D. DEFINITIONS:**

**Litigation Hold** (also known as a Mandatory Preservation Notice) – Suspension of all document destruction procedures where there is pending or imminent litigation, government investigation, subpoena, tax hold, audit, or other consideration.

**Official PTC Record** – Information, regardless of physical form or characteristics, that documents a transaction or activity of the PTC and that is created, received, or retained pursuant to law or in connection with a transaction, business, or activity of the PTC. The term Official PTC Record includes a document, paper, letter, map, book, tape, photograph, film or sound recording, test boring samples, database record, information stored or maintained electronically, and a data-processed or image-processed document. The term Official PTC Record excludes transitory records (which are records that have little or no documentary or evidential value and that need not be set aside for future use; have short term administrative, legal, or fiscal value and should be disposed of once that use has expired; or are only useful for a short period of time).

**Records Class** – A grouping by topic of Official PTC Records that have a retention period as listed in the Records Retention Schedule.

**Records Retention Schedule** – A document that describes the PTC Records Classes and the retention periods for those Records Classes. The retention periods reflect legal requirements, legal considerations (e.g. statute of limitation periods), PTC business needs, and business best practices.

**E. PROCEDURES:**

The PTC Records Retention Schedule and the PTC Records Management Procedures Manual shall be kept current on the PTC Intranet.

Department head and employee responsibility - Department heads are responsible for ensuring that their respective departments implement and remain compliant at all times with the requirements of this policy. Department heads are also responsible for designating a records coordinator for their respective business units. Employees are responsible for determining if information, maintained in any form or format (physically or electronically), falls under the PTC Records Retention Schedule. Employees are also responsible for determining if information on voice mail, email, instant messaging, or the phone system falls under the PTC Records Retention Schedule. Failure to adhere to Litigation Holds or Mandatory Preservation Notices could result in discipline up to and including termination.

Amendments to the Records Retention Schedule – The PTC Records Retention Schedule shall be amended as necessary to ensure that all Official PTC Records are covered by a Records Class and that all retention periods reflect legal requirements for records and support of PTC operations as applicable. Records coordinators shall present proposed changes to the PTC Records Retention Schedule as follows:

Requests to add new Records Classes to the PTC Records Retention Schedule – upon recommendation by the PTC Records Manager, the Chief Counsel (or the Chief Counsel's designee) has the authority to approve requests to add new Records Classes to the PTC Records Retention Schedule; the retention periods of the new proposed Records Classes shall be based on retention periods for similar existing Records Classes.

Requests to modify existing Records Classes or retention periods in the PTC Records Retention Schedule shall be presented to the Commission for approval.

Convenience copies are copies created for the convenience of business users and thus must not be kept longer than the Official PTC Record.

*This Policy Letter supersedes all previous Policy Letters on this subject.*

	<b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>NUMBER:</b> 8.07  <b>APPROVAL DATE:</b> 09-18-2007
	<b>POLICY SUBJECT:</b>  <b>Mobile Device Policy</b>	<b>RESPONSIBLE DEPARTMENT:</b>  <b>Information Technology</b>	<b>EFFECTIVE DATE:</b> 11-20-2014  <b>REVISED DATE:</b> 11-04-2014

**A. PURPOSE:**

This policy governs the assignment of Commission-owned mobile devices to staff and the use of those devices to access Commission Technology Resources, and also provides guidelines for the use of employee-owned mobile devices, including smartphones and tablets, to access Commission Technology Resources.

**B. SCOPE:**

This policy applies to all Commission authorized users including full-time, temporary, supplemental, and summer employees (“Employees”), and contractors and independent consultants (“Contractors and Consultants”) who access Commission Technology Resources such as email, documents, and Internet connectivity using Commission Managed Mobile Devices which include Commission-owned mobile devices, employee-owned mobile devices, and contractor/independent consultant-owned mobile devices (collectively “Authorized Users”).

**C. GENERAL POLICY:**

**1. All Managed Mobile Devices:**

Any mobile device used to access Commission email or other authorized applications and resources – whether owned by the Commission, employees, or contractor/independent consultants – must have the Commission’s Mobile Device Management (MDM) solution installed on it to enforce security settings and to allow the Commission to manage Commission data including, but not limited to, email, calendar entries, and Commission contacts in case the mobile device is returned, transferred, misplaced, lost, or stolen or in other circumstances as determined in the Commission’s sole discretion.

Authorized Users should recognize that their use of, or access to, data provided by or through Commission Technology Resources may be traced, audited, accessed, reviewed, and/or monitored by the Commission or its authorized agents at any time, with or without notice to the Authorized User.

Authorized Users must accept that, when connecting a managed mobile device to Commission Technology Resources, the Commission’s security policy will be applicable to the device. The security policy implemented may include, but is not limited to, areas such as passcode, passcode timeout, passcode complexity and encryption.

An Authorized User will be allowed to utilize authorized Commission applications and resources provided that the Authorized User agrees to comply with and abide by this and any other Commission policy concerning electronic communications including, but not limited to, Policy 8.1 (Acceptable Use of Commission Technology Resources), and obtains the required management authorizations. The Commission, in its sole discretion, may terminate any and all connections to Commission Technology Resources without notification.

The Commission provides applications to support business purposes. These Commission applications also help to ensure the confidentiality of sensitive data, prevent data loss, and support records management requirements. Authorized Users should use Commission provided business applications (including email) when conducting Commission business. Further, if a user is notified that Technology Resources in his or her possession are subject to a litigation or records hold, s/he must take the steps necessary to comply with the hold requirements.

Authorized Users must take proper care of their managed mobile device(s). For example, these devices must not be left unattended in plain view, even for a short period of time; must not be left in a vehicle overnight; and must not be left unattended for any reason in vulnerable situations (e.g., public areas such as airport lounges, hotels and conference centers).

Lost or stolen managed mobile devices must be reported to the Service Desk or Network Control within 24 hours or when reasonably practical. This notification must take place prior to any cancellation of mobile voice and data services associated with the device.

Authorized Users must take appropriate precautions to prevent others from obtaining access to their Commission Technology Resources and data. Authorized Users must keep confidential, sensitive, or privileged information separate from personal data. Authorized Users shall not share with anyone assigned passwords, PINs or other credentials that provide access to Commission Technology Resources or share Commission data without authorization.

Authorized Users must take all reasonable steps to protect against the installation of malicious applications. This includes, but is not limited to, applying patches and updates provided by the mobile device manufacturer/carrier as they are made available.

Commission-managed mobile devices may not be "rooted" or "jail-broken" to allow the bypass of built-in security controls.

Authorized Users are prohibited from typing, reading or sending any information from their device while driving.

Authorized Users are prohibited from activating their device as a hot spot while at Commission facilities that have wireless capabilities.

Authorized Users must comply with data copyright requirements.

Authorized Users who do not comply with or abide by the policies detailed in this document shall be subject to revocation of the mobile device privileges. Employees may be subject to additional disciplinary action up to and including termination. Contractors and Consultants may be subject to additional actions as specified in their contract, as well as under the Commonwealth's Contractor Responsibility Program.

## **2. Commission-Owned Mobile Devices**

Mobile devices will be assigned to Authorized Users whose work location and/or job responsibilities require that they are available and reachable at all times or the assignment of a mobile device is determined to be operationally necessary by their direct report to the CEO/COO.

These devices are Commission property and intended for Commission business but may be used for limited personal use in accordance with the Acceptable Use of Technology Resources Policy, the Commission's Code of Conduct, and other Commission policies. For voice capable devices, Authorized Users will be enrolled in a shared pool plan in which all Authorized Users will share a pool of minutes for the entire Commission. Authorized Users will also have access to any additional features offered by the mobile carrier's current contract with the Commission. Currently, this includes unlimited data and texting for devices that are capable of supporting data and texting. Plan details and additional capabilities are subject to change without notice.

Authorized Users shall accept and may not change settings on the device that the Commission deems necessary to adequately secure the information on the device. Authorized Users acknowledge that any and all data on the device is subject to Commission review without notice.

If a device is misplaced, lost, or stolen, the Authorized User must notify the Service Desk or Network Control within 24 hours or when reasonably practical. The Commission may, at its own discretion, remotely wipe all data from the device and shall not be held responsible for the loss of any personal data that may have been on the device. Authorized Users are responsible for protecting any personal data on the device.

Authorized Users have no expectation of privacy when using Commission Technology Resources (including but not limited to information contained in text messages, emails, photos, internet access, telephone calls, and call logs contained or reflected on the Commission-owned device), which may be reviewed, copied and monitored by the Commission and/or produced to others by the Commission at any time, with or without notice to the Authorized User.

Phone records may be subject to audit to ensure compliance with all policies and procedures.

Authorized Users shall surrender mobile devices and provide device access codes to the Information Security Office immediately upon request from the Information Security Office for audit, e-discovery, investigative or law enforcement purposes.

Authorized Users may not wipe/erase Commission-owned mobile devices issued to them.

Authorized Users may not share Commission-owned mobile devices with anyone outside the organization, including family, friends or business partners.

Authorized Users may download and use applications from commercial or Commission-owned app stores provided the applications comply with Commission policies. Authorized Users are responsible for all costs not associated with and approved for Commission use including, but not limited to, personal applications and chargeable vendor features.

All costs associated with mobile device cellular service will be charged to the Authorized User's department. Such costs include, but are not limited to, equipment, initiation fee, monthly fees, non-customary charges, maintenance and repair of equipment, and programming and replacement of lost, stolen or damaged equipment.

### **3. Employee-Owned Mobile Devices**

Employees wishing to use their personal device (i.e. BYOD) to access Commission email or other authorized applications will require prior approval from their direct report to the CEO/COO. Initial access will be limited to Commission email. Access to additional resources will require specific management approval. Employees may only use an authorized Commission email client to access their Commission email.

Employees who are granted access to the Commission's applications and resources (including email) must allow the installation of the Commission's MDM software on their device. This product must be installed to allow the Commission to provide security settings and to allow the Commission to manage any Commission data, including but not limited to, email, calendar entries, Commission contacts, and other Commission data, in case the mobile device is returned, transferred, misplaced, lost, stolen or under other circumstances as determined in the Commission's sole discretion.

If a device is misplaced, lost, or stolen, the Employee must notify the Service Desk or Network Control within 24 hours or when reasonably practical. The Commission may, at its discretion, remotely wipe/erase all Commission data on the device. If requested by the Employee, the Commission may, in its sole discretion, also attempt to issue a complete wipe/erase of the device. The Employee may not cancel the mobile cellular service for the device until a remote wipe/erase of Commission data is completed. The Commission shall not be held responsible for any personal data or apps inadvertently deleted while attempting to manage Commission data.

Upon termination of employment, or at any time within the Commission's sole discretion, the Commission may remotely remove all Commission applications and data from the device.

The Commission assumes no responsibility for loss or damage associated with the use of an employee-owned device. Support for employee-owned devices, including backing up personal information and data, is the employee's responsibility.

Employees must maintain a device compatible with the Commission MDM platform. If a device falls out of compliance, it will be blocked from accessing Commission email and other authorized applications.

The Commission will provide mobile device reimbursement for Commissioners, the CEO, COO and their direct reports. Upon recommendation from a direct report to the CEO/COO, and approval by the COO, other Employees may also receive reimbursement. The reimbursement will be a standard amount based on the current costs for a single line consumer plan from the Commission's preferred mobile carrier. No additional reimbursement will be provided for additional devices or actual costs above the provided amount. The reimbursement amount will be reviewed regularly by the Information Technology Department which will recommend adjustments as needed to the CEO. The Information Technology Department will maintain a list of all Employees receiving reimbursements.

#### **4. Contractor/Independent Consultant Owned Mobile Devices**

The Commission, in its sole discretion, may make mobile access to Commission Technology Resources available through Contractor and Consultant-owned devices. In these instances, Contractors and Consultants must agree to and comply with all of the requirements identified for Employee-owned devices above.

Contractors and Consultants and the employee responsible for managing the Contractor's and Consultant's engagement must notify the Information Security Office upon the termination of the engagement for which the Contractor and Consultant obtained access to Commission Technology Resources. Upon notification, the Information Technology Department will remotely remove all Commission applications and data from the device. The Commission may, in its sole discretion, also terminate access to Commission Technology Resources at any time.

#### **D. DEFINITIONS:**

**Authorized Users** - Any employee who receives compensation from the Commission on an hourly, daily, or annual basis including full time, part time or probationary or is authorized by statute ("Employees"), and Contractors and Independent Consultants that use or have access to Commission Technology Resources.

**BYOD** – Bring your own device (BYOD) is the policy of allowing employees to bring personally owned mobile devices to the workplace, and use those devices to access Commission Technology Resources.

**Managed Mobile Device** – A mobile device – whether it is owned by the Commission or the Employee or a Contractor/Independent Consultant – that is secured and managed by the Commission's Mobile Device Management solution.

**Mobile Device** – A communications device that transmits and receives data, text, and/or voice without being physically connected to a network. This definition includes but is not limited to such devices as Smartphones, Tablets, and voice only cell phones.

**Mobile Applications** – This refers to software designed for any or all the mobile devices defined in this policy.

**Mobile Device Management (MDM)** – The Commission’s solution for securing and managing mobile devices that access Commission Technology Resources.

**Technology Resources** – Commission Technology Resources include, but are not limited to, the following: all Commission data and records, including those pertaining to computer use, internet use, email communication and other electronic communication (whether sent, received, or stored), as well as the content of such communications; Commission’s computer systems, together with any electronic resource used for communications, which includes but is not limited to laptops, individual desktop computers, wired or wireless telephones, cellular phone, smartphones, tablet computers, servers, virtual machines, routers/switches, etc. and further includes use of the internet, electronic mail (email), instant messaging, texting, voice mail, facsimile, copiers, printers or other electronic messaging through Commission facilities, equipment or networks.

**Wi-Fi Hot Spot** – A feature on a mobile device that allows it to become a wireless Internet access point.

**E. PROCEDURES:**

1. **The Service Desk Request** process will be used for all requests related to mobile devices.

2. **Commission-Owned Mobile Devices** may be assigned in accordance with the following guidelines:

- Requests to obtain mobile devices, additional or replacement equipment, or additional features, such as hot spot capabilities, must include work-related justification.
- A signed Mobile Device Policy Acknowledgement form (Attachment A or B, as appropriate) must be on file with the Information Technology Department.
- The device will be added to the Human Resources list of objects on loan assigned to the employee and must be surrendered upon the end of or suspension from employment or at any time within the Commission’s discretion.
- Devices provided to Contractors and Consultants must be surrendered upon the conclusion of their engagement with the Commission or at any time within the Commission’s discretion.

3. **Employee-Owned Mobile Device Access** to Commission email and other authorized applications may be allowed in accordance with the following guidelines:

- Requests for authorization to access Commission email and other authorized applications must include work-related justification for the access.

- A signed Mobile Device Policy Acknowledgement form (Attachment A) must be on file with the Information Technology Department.
  - A signed Employee-Owned Mobile Device Reimbursement Request form (Attachment C) must be completed by Commissioners, the CEO, COO and their direct reports and forwarded to Payroll.
4. **Contractor/Independent Consultant-Owned Mobile Device Access** to Commission email and other authorized applications may be allowed in accordance with the following guidelines:
- Requests for authorization to access Commission email and other authorized applications must include work-related justification for the access.
  - A signed Mobile Device Policy Acknowledgement form (Attachment B) must be on file with the Information Technology Department.
5. **Support for mobile device access to Commission Technology Resources**
- Full Support for Commission-Owned devices – The Information Technology Department will support operating systems, hardware, connectivity, and Commission-approved applications.

Limited support for Employee-owned and Contractor/Independent Consultant-owned devices – Support is limited to Commission- managed applications. Primary support for user-owned devices is the user’s responsibility. Users may be required to present their device to an IT support representative for installation or troubleshooting of Commission-managed applications. Other issues should be directed to the user’s mobile device provider. Because of the numerous options that exist for both mobile devices and operating systems, there are no guarantees that any given application will work on a specific device.

6. **Exceptions**

- Any exception to this policy must be approved in advance by the Chief Information Officer (CIO).

*This Policy Letter supersedes all previous Policy Letters on this subject.*

## Mobile Device Policy

### Employee Acknowledgement

I acknowledge that I have read Policy Letter 8.7, Mobile Device Policy, in full and understand the terms of use and my responsibilities as an Authorized User. I agree to abide by and comply with the terms of this policy and agree to fully and to the best of my ability comply at all times with the responsibilities of Users contained herein.

I make no claims on the Commission to protect any personal data and fully understand that I have accepted the terms of this policy without coercion of any kind from my employer.

I understand that violations of this agreement can result in revocation of Commission mobile device privileges, including BYOD eligibility, and may subject me to disciplinary action, up to and including termination.

The Commission can, at any time, and in its sole discretion, modify this user agreement and require device users to reconfirm their agreement to abide by and comply with the terms of the modified agreement.

**Employee Name (printed):** \_\_\_\_\_

**Employee Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Mobile Device Policy

### Contractor or Independent Consultant Acknowledgement

I understand that this user agreement is not intended to interfere with contractors or independent consultants, such as myself, from performing services required by their respective contracts with the Commission.

I hereby acknowledge that I have received, read, and understand the Mobile Device Policy, and agree to abide by and comply with the requirements set forth in it.

I understand that the Commission may revoke my privileges at any time for any reason, and/or take appropriate action as specified in my contract with the Commission, as well as under the Commonwealth's Contractor Responsibility Program.

The Commission can, at any time, and in its sole discretion, modify this user agreement and require mobile device users to reconfirm their agreement to abide by and comply with the terms of the modified agreement.

**Print Name:** \_\_\_\_\_

**Company:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Employee-Owned Mobile Device Reimbursement Request

I acknowledge that I have read Policy Letter 8.7, Mobile Device Policy, in full and understand the terms of use and my responsibilities as an Authorized User. In accordance with that policy, I am requesting reimbursement for the use of my personally-owned device. I understand that the reimbursement being provided is a standard amount based on the current costs for a single line plan from the Commission's preferred mobile carrier and that no additional reimbursement will be provided for additional devices or actual costs above the provided amount. I understand further that the reimbursement amount will be reviewed regularly and adjusted as needed.

I understand that reimbursements will be provided starting the first pay period after the start date provided below. I further understand that I can revoke this request by resubmitting this form with the Start Date left empty and providing an End Date.

_____ Name (Print)	_____ Employee ID
_____ Title	_____ Start Date
_____ Signature	_____ End Date (Leave blank unless you wish to stop Receiving reimbursements)



# Business Conduct Guidelines



PA Turnpike Commission  
**COMPLIANCE DEPARTMENT**  
P.O. Box 67676  
Harrisburg, PA 17676  
(717) 831.7422  
[www.paturnpike.com](http://www.paturnpike.com)