



# Florida Department of TRANSPORTATION

Office of Inspector General  
Robert E. Clift, Inspector General

A handwritten signature in blue ink, reading "Robert E. Clift".

Audit Report No. 16P-1007  
Ethics Governance Audit

February 27, 2017

## What We Did

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The Office of Inspector General (OIG) performed an evaluation of the Department of Transportation's (department) ethics program by reviewing Topic No. 001-010-020, Ethics Policy (policy), assessing the required training completion rate, reviewing current processes for distributing ethics related information, and surveying employees to gauge ethical awareness in the department.

## What We Found

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Our review tested four specific areas to determine adequacy and compliance with the Governors' Code of Ethics (Code) and department's Ethics Policy. We identified findings and recommendations in two areas, department employee Ethics computer based training (CBT) completion compliance and existing ethics processes. We determined other areas were compliant, but we provide two opportunities to improve.

### We determined:

- the department's Ethics Policy meets the requirements of the Governor's Code of Ethics;
- the department's Ethics CBT is aligned with the requirements of the department's Ethics Policy;
- there was a 91% compliance rate for the completion of the Ethics CBT by department staff employed at least 1 year during fiscal year 2015/16; and
- the department needs to strengthen controls to ensure employees understand the department's ethics environment and have access to ethics related information.

## What We Recommend

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**We recommend** the Ethics Officer coordinate with the Organizational Development Manager to ensure:

1. all employees complete the Ethics CBT annually; and
2. periodic monitoring of employee completion of required ethics training is conducted.

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**We recommend** the Ethics Officer strengthen the existing ethics environment by coordinating with the Office of Information Technology (OIT) to re-establish the SharePoint site designated for ethics information (with quick access to Topic No. 001-010-020, Ethics Policy, and the Ethics CBT).

**We also recommend** the Director of Human Resources (HR) strengthen the existing onboarding process regarding ethics by:

1. adding “I have read the Florida Department of Transportation’s **Topic No. 001-010-020, Ethics Policy**” to the Ethics Policy Pledge Form<sup>1</sup>;
2. adding Topic No. 001-010-020, Ethics Policy, in section B of the Document/Receipt Acknowledgement Form<sup>2</sup>; and
3. adding the Mandatory Training Matrix<sup>3</sup> as a link to the New Employee Reading webpage or provide as a document during onboarding.

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<sup>1</sup> See Appendix E

<sup>2</sup> See Appendix D

<sup>3</sup> See Appendix F

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## **BACKGROUND AND INTRODUCTION**

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On January 4, 2011, Governor Scott issued Executive Order 11-03, directing the adoption of a revised Code of Ethics. The Code imposed standards that incorporated and exceeded the requirements of the statutory code of ethics set forth in Chapter 112, Part III, Florida Statutes (F.S.). The Code directed the secretary of each executive state agency to designate a chief ethics officer. The Code indicates the chief ethics officer will make reasonable efforts to ensure the employees adhere to this Code and become familiar with relevant ethics, public records, and open meeting requirements. Employees are bound to observe the highest standards of ethics consistent with the Code.<sup>4</sup>

The Department of Transportation's Topic No. 001-010-020, Ethics Policy, outlines ethical principles and standards found in the Code to guide department employees. The policy has designated the Deputy General Counsel to serve as the Ethics Officer who will make reasonable efforts to ensure employees are familiar with the policy and receive annual training. New employees are required to provide signatures on both the Document Receipt Acknowledgement Form and the Ethics Policy Pledge Form acknowledging they will comply with the policy and read all related ethics materials listed. The policy also has an annual computer based training requirement all employees must complete to comply with the policy.

In May 2011, report 11P-1002, Ethics Program, was published by the department's OIG. We conducted an ethics review and made recommendations which were implemented by the Ethics Officer.

A 2015 Deloitte publication titled, "Building world-class ethics and compliance programs: Making a good program great Five ingredients for your program" states there are a number of factors that separate "good" from "great" ethics programs. The following five factors are key differentiators:

- Tone at the top;
- Corporate culture;
- Risk Assessments;
- The Chief Compliance Officer; and
- Testing and Monitoring.

The starting point is tone at the top with senior management empowering and properly resourcing the individuals who have day-to-day responsibilities to mitigate risks and build organizational trust. The ending point is a robust testing and monitoring program that can help ensure the control environment is effective. The process begins with implementing appropriate controls, which should be tested and ultimately monitored and audited on a regular basis.

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<sup>4</sup> Executive Office of the Governor Code of Ethics (2011)

## **RESULTS OF REVIEW**

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Our review tested four specific areas to determine adequacy and compliance with the Governors' Code of Ethics and department's Ethics Policy. We identified findings and recommendations in two areas, department employee Ethics CBT completion compliance and existing ethics processes. We determined other areas were compliant, but provide two opportunities to improve.

### **Department's Ethics Policy and Governor's Code of Ethics Comparison**

The department's Ethics Policy meets the requirements of the Governor's Code of Ethics.

The Code requires the secretary of an executive agency under the purview of the Governor to evaluate his/her agency's existing code of ethics with a view towards using the Code as the base standard for his/her agency to the extent practicable.<sup>5</sup>

We reviewed the policy and noted the required standards in the Code were incorporated. The policy has designated the Deputy General Counsel to serve as the Ethics Officer and listed ethical principles as identified in the Code. Also, the policy requires annual training as required by the Code.

We identified opportunities to improve the policy by adding:

- the definitions for "lobbyist," "principal," and "gift"; and
- the following statement from the Code: "At all times, employees have a duty to inquire whether the thing of value is from a lobbyist or principal. Ignorance of the facts is no excuse."<sup>6</sup>

### **Department's Ethics CBT and Policy Comparison**

Topic No. 001-010-020, Ethics Policy, requires the department's Ethics Officer to make reasonable efforts to ensure employees are familiar with the policy and receive annual training.

We performed a review of the Ethics CBT transcript and evaluated if the department's Ethics CBT aligned with the ethical principles detailed in the policy. The department's Ethics CBT is aligned with the requirements of the department's Ethics Policy.

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<sup>5</sup> Executive Office of the Governor Code of Ethics (Section I, page 3)

<sup>6</sup> Executive Office of the Governor Code of Ethics (Section V, page 13)

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**Finding 1 – Ethics CBT Completion**

**We determined** there was a 91% compliance rate for the completion of the Ethics CBT by department staff employed at least 1 year during fiscal year July 1, 2015, through June 30, 2016.

The Code requires all employees to attend ethics training on an annual basis. Neither the Code nor policy states the timeframe a new department employee has to complete the ethics training, only that the training is completed annually.

We reviewed data from the department’s HR for all active employees as of June 30, 2016, and the Training Record, Evaluation and Scheduling System (TRESS) for the fiscal year July 1, 2015, through June 30, 2016. Of the 5,180 staff employed at least 1 year:

- 4,733 (91%) completed the Ethics CBT within the year; and
- 447 (9%) did not complete the Ethics CBT within the year.

Table 1 displays the employees in each district who did not complete the Ethics CBT within the year.

<b>Table 1: District Analysis</b>			
<b>District</b>	<b>Total Employees</b>	<b>Employees Non-compliant</b>	<b>Percentage Non-compliant</b>
CO	1164	129	11%
D1	516	16	3%
D2	641	36	6%
D3	496	25	5%
D4	631	44	7%
D5	589	50	8%
D6	385	76	20%
D7	422	9	2%
TPE	336	62	18%
TOTAL	5,180	447	9%

Source: HR Active Employee List and TRESS Training History Report

According to the Organizational Development Office, TRESS experienced technical issues during April, May, and June 2016. There is a possibility during this period there was a loss of data. If TRESS did not automatically recognize the completion of the Ethics CBT for staff and completion was not manually updated by a Unit Training Coordinator, the compliance rate could potentially be higher than 91%.

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**We recommend** the Ethics Officer coordinate with the Organizational Development Manager to ensure:

1. all employees complete the Ethics CBT annually; and
2. periodic monitoring of employee completion of required ethics training is conducted.

**Related Analyses**

We also reviewed two related areas which do not have direct criteria to make compliance determinations, but may provide information which could benefit the department's ethics program.

**New Department Employee Ethics Training**

The policy lacks an initial deadline for the completion of ethics training for new employees. The Governors' Code of Ethics does not require training to be completed within a timeframe of employment with the State of Florida, only that the training is completed annually.

Data received from HR and TRESS was used to determine the compliance rate if initial deadlines existed. There were 505 employees with less than 1 year with the department as of June 30, 2016. Of the 505 new employees, 463 employees have completed the Ethics CBT and 42 employees have not completed the Ethics CBT.

Table 2 displays the completion compliance rate for new employees who took the Ethics CBT within the given time periods of the employee's hire date for fiscal year July 1, 2015, through June 30, 2016.

<b>Table 2: New Employee Analysis</b>			
	<b>Time Period</b>	<b>Completed</b>	<b>Percent Compliant</b>
1	Within 30 days	389	77%
2	Within 60 days	418	83%
3	Within 90 days	426	84%
4	Within 180 days	444	88%
5	Within 1 Year	463	92%

Source: HR Active Employee List and TRESS Training History Report

The Ethics Officer could improve the department's policy by establishing an initial deadline for new employees to complete the Ethics CBT.

### Cost Center Compliance Rate

For the following cost centers (see Table 3), 10 or more department staff employed at least 1 year did not complete the Ethics CBT for fiscal year July 1, 2015, through June 30, 2016.

<b>Table 3: Cost Center Analysis</b>					
District	Cost Center Number	Cost Center Name	Total Employees	Employees Non-compliant	Percentage Non-compliant
CO	931	Systems Planning Office	19	13	68%
CO	965	Program Management Office	27	11	41%
CO	985	Environmental Management Office	20	13	65%
D3	392	Tallahassee Maintenance	32	13	41%
D5	542	Consultant Project Management	23	18	78%
D6	662	Traffic Operations	26	10	38%
D6	691	North Dade Maintenance	47	25	53%
TPE	846	Planning and Production	21	14	67%
TPE	857	Tolls Data Center	24	11	46%

Source: HR Active Employee List and TRESS Training History Report

### Finding 2 – Ethics Processes

**We determined** the department needs to strengthen controls to ensure employees understand the department’s ethics environment and have access to ethics related information.

The Code indicates the Ethics Officer will make reasonable efforts to ensure employees became familiar with relevant ethics, public records, and meeting requirements.<sup>7</sup> Organizational policies should also follow certain principles. One principle is policies should be systematically communicated to all officials and appropriate employees of the organization.<sup>8</sup> The department should have controls in place to ensure the policy is communicated effectively to employees to mitigate the risk of unethical behavior.

We analyzed the department’s ethics processes detailed in the policy and documents provided by HR, and interviewed appropriate HR staff and the Ethics Officer. Documents reviewed included the Ethics Policy Pledge Form, Document Receipt Acknowledgement Form, and Mandatory Training Matrix. HR ensures each new employee signs the forms. We also reviewed the New Employee webpage which is

<sup>7</sup> Executive Office of the Governor Code of Ethics (Section II, page 4)

<sup>8</sup> Sawyer, L., Dittenhofer, M., Scheiner, J., Graham, A., Makosz, P. (2005). *Sawyer's Internal Auditing* (Chapter 2, page 83)



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maintained by HR. During the course of the audit, the HR Office's SharePoint site was updated to include a link to the Ethics Policy.

The Ethics Officer indicated the policy is reviewed annually and telephone calls are handled concerning ethics related questions. We attempted to review the internal ethics website, previously available to department staff as a reference, but could not locate the site on the Office of General Counsel's internal website, Office of General Counsel's SharePoint site, or the department's infonet.

Comments from the Ethical Awareness Survey indicated the procedure, CBT, and ethics related documents were not accessible. Respondents expressed the need for an Ethics SharePoint site that is prominently displayed and offers short training videos, scenarios, examples, lobbyist and principal links, tips, and ideas to improve ethical awareness for department employees.

**We recommend** the Ethics Officer strengthen the existing ethics environment by coordinating with OIT to re-establish the SharePoint site designated for ethics information (with quick access to Topic No. 001-010-020, Ethics Policy, and the Ethics CBT).

**We also recommend** the Director of HR strengthen the existing onboarding process regarding ethics by:

1. adding "I have read the Florida Department of Transportation's **Topic No. 001-010-020, Ethics Policy**" to the Ethics Policy Pledge Form;
2. adding Topic No. 001-010-020, Ethics Policy, in section B of the Document/Receipt Acknowledgement Form; and
3. adding the Mandatory Training Matrix as a link to the New Employee Reading webpage or provide as a document during onboarding.

## **ETHICAL AWARENESS SURVEY**

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On July 11, 2016, the department's Inspector General sent all individuals with a valid department email address a 12 question survey. The survey was closed to responses on July 18, 2016. There were 2,209 department responses for a 39% response rate.<sup>9</sup>

- 7% of respondents correctly identified the department's Ethics Officer.  
We asked respondents to identify the department's Ethics Officer. Only 336 respondents answered the question and 149 correctly identified the Ethics Officer's name and/or title. We received various incorrect responses such as the Governor, the Secretary of the department, and the Inspector General.<sup>10</sup>
- 62% of respondents correctly answered Scenario #1.  
We asked the following Ethics CBT question, "An FDOT employee is going to be married soon. His future wife, who is not a state employee, has friends who are lobbyists or who are consultants who do business with FDOT. The friends will be invited to the wedding. The FDOT employee wants to know if he can accept wedding gifts from his future wife's friends who are consultants who do business with FDOT or who are lobbyists." The correct answer was the FDOT employee, "Cannot accept any gift that is given to him by any lobbyist or consultant who does business with FDOT." There were 2,165 respondents to the question and 1,372 answered correctly. However, 26% of the respondents incorrectly answered, "Cannot accept any gift that is given to him and his future wife cannot accept any gift given solely to her by any lobbyist or consultant who does business with FDOT." Two other incorrect responses were chosen by the other 12% of respondents.
- 44% of respondents correctly answered Scenario #2.  
We asked the following Ethics CBT question, "A thirty year FDOT employee is about to retire. Last year he was a member of a technical review committee to select a consultant to do work for FDOT under a five year contract. The contract was awarded to the ABC Corporation. The ABC Corporation has offered the FDOT employee a job after he retires. What can the employee do?" The correct answer was the FDOT employee may, "Accept the job, but don't work on the contract for which he was a part of the technical review committee." There were 2,187 respondents to the question and 984 answered correctly. However, 41% of the respondents incorrectly answered, "Accept the job, but don't work on the contract for which he was a part of the technical review committee until he has been retired for two years." Two other incorrect responses were chosen by the other 15% of respondents.

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<sup>9</sup> The survey had 2,394 respondents. We eliminated 185 non-state employee (consultant or contractor) respondents.

<sup>10</sup> Responses also included employees that are no longer employed by the department.

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Comments were provided by the respondents and could be incorporated to improve the ethics program, including:

- revise the policy for clarity and comprehension;
- offer an alternative to the Ethics CBT such as classroom training;
- offer group training with a question and answer session;
- send occasional surveys with ethics related scenarios; and
- communicate monthly or quarterly by electronic mail, a newsletter, or a website advising employees of ethical issues and solutions.

The Ethical Awareness Survey questions and results are detailed in Appendix C.

**APPENDIX A – Purpose, Scope, and Methodology**

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Section 20.055, Florida Statutes, requires the OIG to conduct audits, examinations, investigations, and management reviews related to programs and operations of the department. This audit was performed as part of the OIG’s mission to promote accountability, integrity, and efficiency for the citizens of Florida by providing objective and timely audit and investigative services.

The **purpose** of this engagement was to evaluate the department’s Topic No. 001-010-020, Ethics Policy, the department’s Ethics CBT, and the processes established to ensure employees complete the training and receive all ethics related information.

The **scope** of this engagement included Topic No. 001-010-020, Ethics Policy, and the Ethics CBT for the period July 1, 2015, through June 30, 2016.

The **methodology** included:

- Reviewing:
  - applicable statutes, rules, and procedures;
  - desktop procedures and a personnel handbook;
- Interviewing appropriate department personnel;
- Collecting and evaluating relevant data; and
- Conducting a department-wide survey and analyzing the results.

## **APPENDIX B – Management Response**

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The Ethics Officer Erik Fenniman, Deputy General Counsel, provided the following responses by email on February 15, 2017:

### **Finding 1 – Ethics CBT Completion**

**Finding: We determined** there was a 91% compliance rate for the completion of the Ethics CBT by department staff employed at least 1 year during fiscal year July 1, 2015, through June 30, 2016.

**Recommendation: We recommend** the Ethics Officer coordinate with the Organizational Development Manager to ensure:

1. all employees complete the Ethics CBT annually; and
2. periodic monitoring of employee completion of required ethics training is conducted.

**Response to Finding:** We concur with the finding and recommendation.

**Corrective Action:** Quarterly meetings have been established with the Organizational Development Manager to review and discuss employee Ethics CBT completion reports. Completion reports will be provided by the Organizational Development Manager to cost center managers as outlined in their response.

**Estimated Completion Date:** March 2017.

### **Finding 2 – Ethics Processes**

**Finding: We determined** the department needs to strengthen controls to ensure employees understand the department's ethics environment and have access to ethics related information.

**Recommendation: We recommend** the Ethics Officer strengthen the existing ethics environment by coordinating with OIT to re-establish the SharePoint site designated for ethics information (with quick access to Topic No. 001-010-020, Ethics Policy, and the Ethics CBT).

**Response to Finding:** We concur with the finding; however, an alternative correction will be taken.

**Corrective Action:** When the Department's website was improved it appears the Ethics materials were moved to the Office of Administration website. When it was discovered, the link was immediately re-established on the new Department Office of General Counsel website and also kept on the Office of Administration website.

**Estimated Completion Date:** Already completed.

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The Organizational Development Manager, Allison Black, provided the following response by email on February 16, 2017:

**Finding 1 – Ethics CBT Completion**

**Finding:** We determined there was a 91% compliance rate for the completion of the Ethics CBT by department staff employed at least 1 year during fiscal year July 1, 2015, through June 30, 2016.

**Recommendation:** We recommend the Ethics Officer coordinate with the Organizational Development Manager to ensure:

1. all employees complete the Ethics CBT annually; and
2. periodic monitoring of employee completion of required ethics training is conducted.

**Response to Finding:** We concur with the finding and recommendation.

**Corrective Action:** The Organizational Development Office will ensure the Ethics CBT, and any other required mandatory training courses, are provided within the Learning Curve system and work closely with the Office of Information Technology to resolve any technical issues as quickly as possible.

The Organizational Development Office will work closely with “owner offices” of CBTs to ensure content is relevant, current, and accessible and promotes adequate learning transfer.

The Organizational Development Office will either prepare or provide access to quarterly completion reports for Ethics training for Cost Center Managers, as well as other mandatory training courses. During the last quarter of the year, completion reports will either be prepared for or access provided to Cost Center Managers weekly. As requested, said reports will be escalated to the Executive Board.

**Estimated Completion Date:** The Organizational Development Office is not aware of any technical issues pending resolution regarding any mandatory training courses. This is an on-going effort that is addressed as issues present themselves.

The Organizational Development Office is currently reviewing mandatory CBTs, by task team, and will work with owner offices to ensure content meets the needs of the agency. This is also an on-going effort and changes are addressed as identified and needed.

The Organizational Development Office will begin providing quarterly completion reports or access to reports starting in March 2017 and carry forward indefinitely.

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The Director of HR, Victoria Kliner, provided the following response by email on February 20, 2017:

**Finding 2 – Ethics Processes**

**Finding:** We determined the department needs to strengthen controls to ensure employees understand the department’s ethics environment and have access to ethics related information.

**Recommendation:** We also recommend the Director of HR strengthen the existing onboarding process regarding ethics by:

1. adding “I have read the Florida Department of Transportation’s **Topic No. 001-010-020, Ethics Policy**” to the Ethics Policy Pledge Form;
2. adding Topic No. 001-010-020, Ethics Policy, in section B of the Document/Receipt Acknowledgement Form; and
3. adding the Mandatory Training Matrix as a link to the New Employee Reading webpage or provide as a document during onboarding.

**Response to Finding:** We concur with the finding and recommendation.

**Corrective Action:** The Human Resources Office onboarding documents will incorporate items as specified below.

The Ethics Policy Pledge Form states “I have been provided with a copy, and have read, the Florida Department of Transportation’s **“Ethics Policy, No. 001-010-020.”**”

On the Document/Receipt Acknowledgement Form, Section B, “Ethics Policy (001-010-020)” is listed.

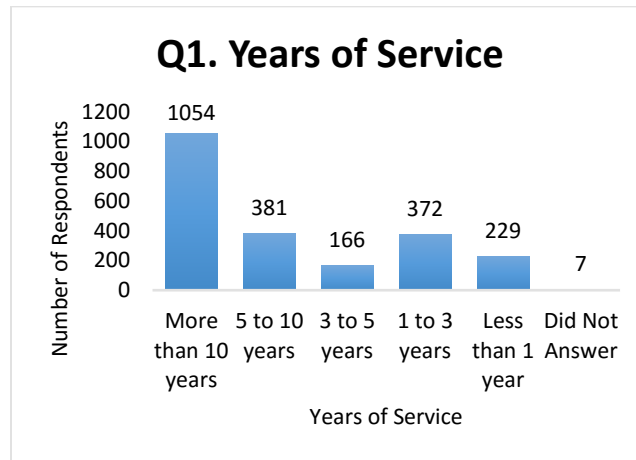
The New Employee Required Reading/Mandatory Training document lists the Mandatory Training Matrix under the Mandatory Reading/Training section.

**Estimated Completion Date:** Already completed.

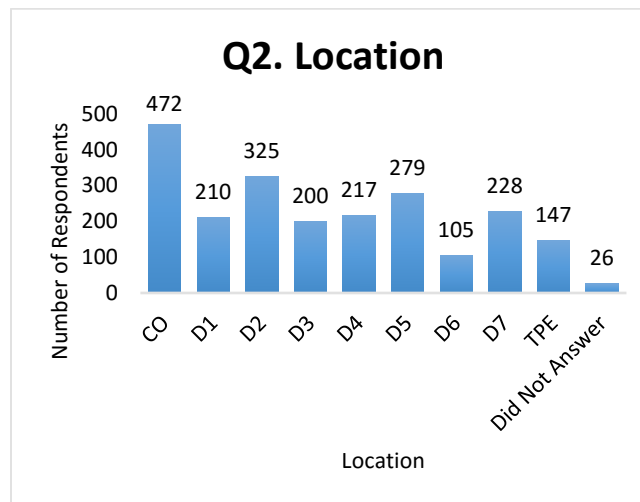
**APPENDIX C – Ethical Awareness Survey Results**

The following charts are visual representations of the department’s survey results.

Question 1: How long have you worked for FDOT?

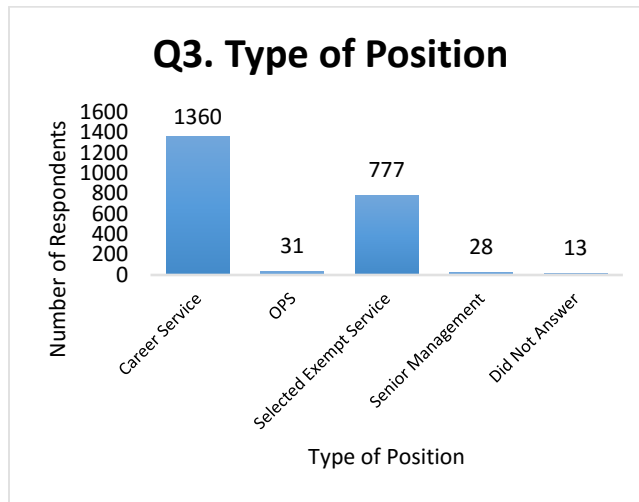


Question 2: Please select your location.

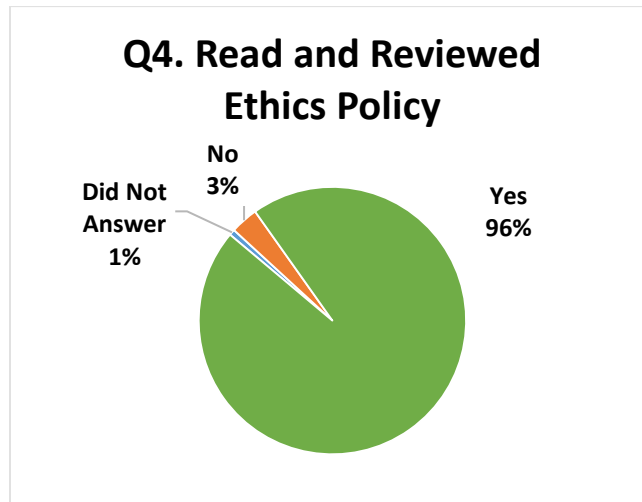




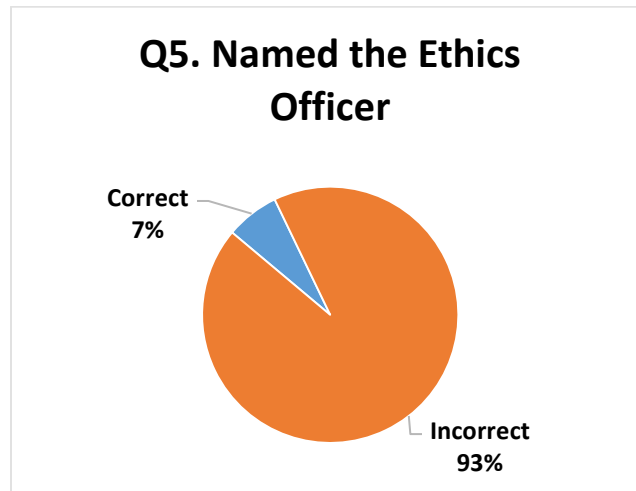
Question 3: Please select your position type.



Question 4: Have you read and reviewed the Department's Ethics Policy?



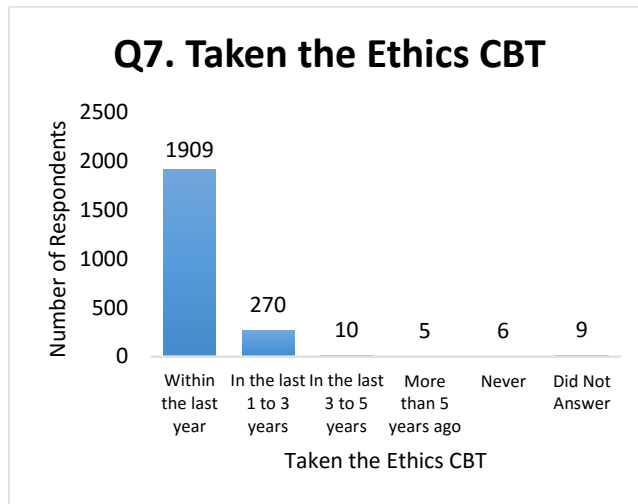
Question 5: Who is the FDOT Ethics Officer?



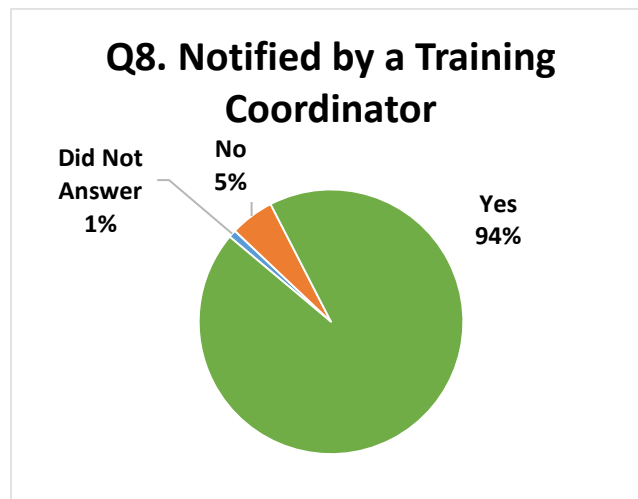
Question 6: FDOT's ethical guidance, including code of conduct, policy, other guidelines, and the computer based training (CBT) has made clear my ethical responsibilities?



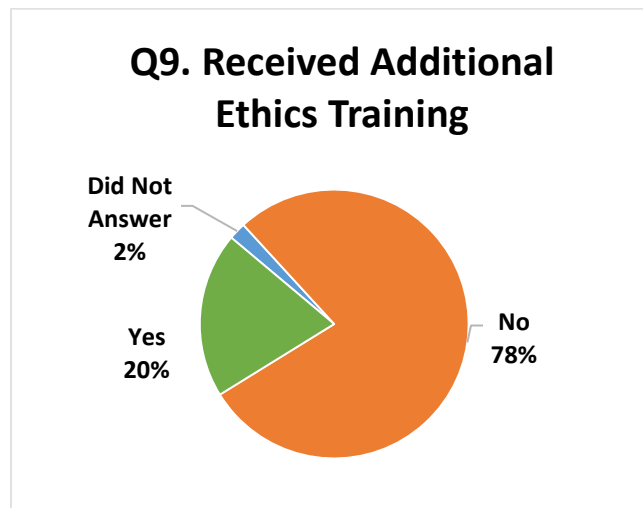
Question 7: I have taken the FDOT Ethics CBT.



Question 8: Are you notified by a training coordinator or supervisor when it is time to take the Ethics CBT?



Question 9: I have received additional ethics training other than the FDOT Ethics CBT.



Question 10: Employees provided additional Ethics trainings taken, including:

- American Planning Association's (APA) American Institute of Certified Planners (AICP) Certification
- American Society of Civil Engineers (ASCE)
- Certified Public Manager (CPM) Program
- FDOT Leadership Academy
- FDOT OIG
- Florida Bar
- Florida Board of Professional Engineers (FBPE)
- Other Florida State Departments

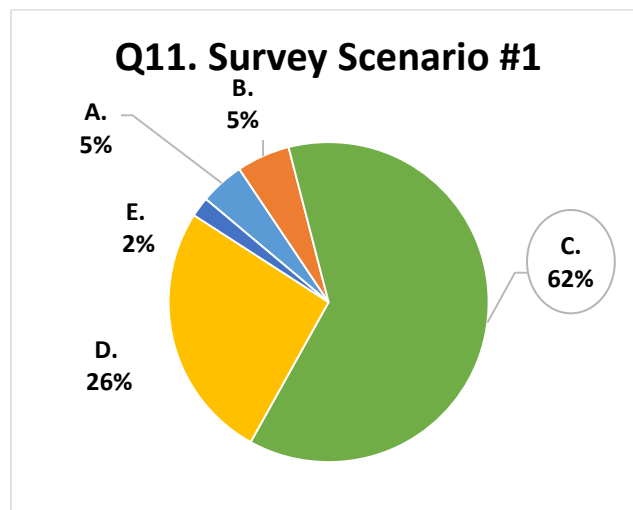
Question 11: Scenario #1

An FDOT employee is going to be married soon. His future wife, who is not a state employee, has friends who are lobbyists or who are consultants who do business with FDOT. The friends will be invited to the wedding. The FDOT employee wants to know if he can accept wedding gifts from his future wife's friends who are consultants who do business with FDOT or who are lobbyists. In this situation, the FDOT employee:

- A. Can accept the gifts because they are wedding gifts.
- B. Can accept only those gifts that have a value of less than \$25.
- C. Cannot accept any gift that is given to him by any lobbyist or consultant who does business with FDOT.
- D. Cannot accept any gift that is given to him and his future wife cannot accept any gift given solely to her by any lobbyist or consultant who does business with FDOT.

Answer: C

- A. is incorrect because wedding gifts are included in the prohibition against accepting anything of value from a lobbyist or person doing business with a state employee's agency.
- B. is incorrect because the value of the gift does not matter. Nothing of any value can be accepted by a state employee from a lobbyist or a person doing business with the employee's agency.
- C. is the correct answer.
- D. is correct as it applies to the FDOT employee, but incorrect as it applies to his future wife. If the gift is intended solely for the future wife, she may accept the gift, even if it is from a lobbyist or consultant doing business with FDOT. The same answer applies to gifts and even food and refreshments provided by the future wife's friends if they were to host a wedding shower for the couple. Only gifts intended solely for the future wife could be accepted by the future wife. The FDOT employee can accept nothing.



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Question 12: Scenario #2

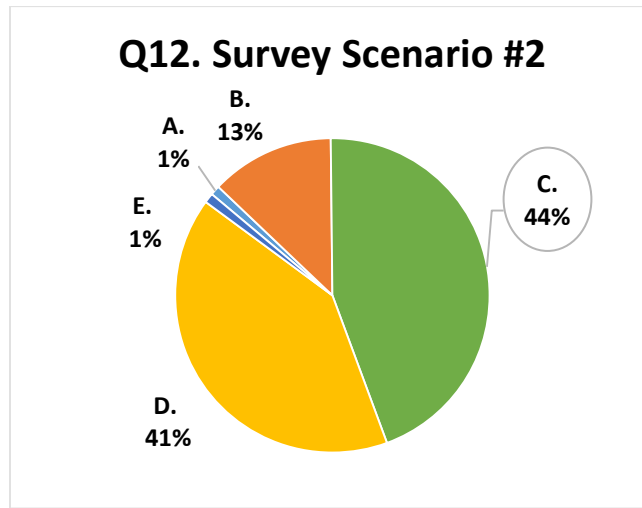
A thirty year FDOT employee is about to retire. Last year he was a member of a technical review committee to select a consultant to do work for FDOT under a five year contract. The contract was awarded to the ABC Corporation. The ABC Corporation has offered the FDOT employee a job after he retires. What can the employee do?

- A. Accept the job and work on anything assigned to him by the ABC Corporation because he won't be working for FDOT anymore.
- B. Decline the job because he participated in the selection of ABC Corporation to do work for FDOT.
- C. Accept the job, but don't work on the contract for which he was a part of the technical review committee.
- D. Accept the job, but don't work on the contract for which he was a part of the technical review committee until he has been retired for two years.

Answer: C

Chapter 112, F.S., places certain restrictions on former executive branch agency employees; FDOT is an executive branch agency. An agency employee may not, after retirement or termination, hold any employment or contractual relationship with any business entity, other than another government agency, in connection with any contract in which the employee participated personally and substantially through decision, approval, disapproval, recommendation, advice, or investigation while an employee of the agency.

- A. is incorrect because there are several ethical provisions in Chapter 112, F.S., that may affect the decisions you make regarding your employment after you leave or retire from FDOT and you should be aware of those provisions prior to making future employment plans.
- B. is incorrect because although he could decline the job, the post-employment restrictions in the Code of Ethics do not absolutely prohibit former employees from working with companies that they have dealt with as a public employee. However, employees should be sensitive to the fact that participating in a selection and leaving shortly thereafter to work for the selected vendor could create an appearance of impropriety. Whenever an employee contemplates leaving or retiring from FDOT, he or she should discuss his or her future employment plans with the FDOT Ethics Officer, or the Florida Commission on Ethics.
- C. is the correct answer.
- D. is incorrect because in this case, the employee participated personally and substantially in the contract by being a part of the technical review committee. The prohibition against working on a contract in which you participated personally and substantially, lasts for the entire term of the contract.



Question 13: Respondents provided comments to assist in improving the department's ethics program and employee's ethical awareness.

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Florida Department of Transportation**

**APPENDIX D – Document Receipt Acknowledgement Form**

<p>Chapters 110, 118, 121 &amp; 440, F.S.</p>	<p>STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>DOCUMENT/RECEIPT ACKNOWLEDGEMENT</b></p>	<p>250-015-06 HUMAN RESOURCES OGC - 03/14</p>																		
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Employee's Full Name (Print or Type)</td> <td style="width: 50%; border-bottom: 1px solid black;">People First User ID#</td> </tr> </table>			Employee's Full Name (Print or Type)	People First User ID#																
Employee's Full Name (Print or Type)	People First User ID#																			
<p>TYPE OF EMPLOYMENT:   <input type="checkbox"/> CS    <input type="checkbox"/> SES    <input type="checkbox"/> SMS    <input type="checkbox"/> OPS    <input type="checkbox"/> OTHER</p>																				
<p><b>A. I have received and signed for:</b></p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="width: 80%;"></th> <th style="width: 10%; text-align: center; border-bottom: 1px solid black;">Initials</th> <th style="width: 10%; text-align: center; border-bottom: 1px solid black;">Date</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Department's Ethics Policy and Policy Pledge Form</td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td><input type="checkbox"/> Drug-Free Workplace and Testing Policy and Consent and Release Form (New employees refusing to sign for this document shall not be placed on the payroll.)</td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td><input type="checkbox"/> Violence-Free Workplace Environment Policy</td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td><input type="checkbox"/> Workers' Compensation Employee Handbook</td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td><input type="checkbox"/> Financial Disclosure Statement (if applicable)</td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </tbody> </table>				Initials	Date	<input type="checkbox"/> Department's Ethics Policy and Policy Pledge Form			<input type="checkbox"/> Drug-Free Workplace and Testing Policy and Consent and Release Form (New employees refusing to sign for this document shall not be placed on the payroll.)			<input type="checkbox"/> Violence-Free Workplace Environment Policy			<input type="checkbox"/> Workers' Compensation Employee Handbook			<input type="checkbox"/> Financial Disclosure Statement (if applicable)		
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<p><b>B. I have been advised that I am subject to and must read the below listed documents either on-line or obtain a copy from my supervisor. These items may be accessed through the Human Resources SharePoint site under "Training". ** Not applicable to Other Personal Services (OPS) Employees</b></p> <p><input type="checkbox"/> DOT Employee Handbook**</p> <p><input type="checkbox"/> Ethics/Conflict of Interest, Sections 334.193 and 334.195, F.S.</p> <p><input type="checkbox"/> Driver's Record Requirements</p> <p><input type="checkbox"/> Transporting Persons Other Than State Officials and Employees in DOT Vehicles (001-400-005)</p> <p><input type="checkbox"/> Disciplinary Actions (250-012-011)</p> <p><input type="checkbox"/> Career Service Employee Grievance (250-025-001), if applicable**</p> <p><input type="checkbox"/> Safety - Mandatory Use of Seat Belts/Safe Operation of Vehicles, DMS Rule 60B-1.012, F.A.C.</p> <p><input type="checkbox"/> Security and Use of Information Technology Resources, Including E-Mail, Internet and Anti Virus Software (001-325-060)</p> <p><input type="checkbox"/> Smoking Policy (001-010-015)</p> <p><input type="checkbox"/> Sexual Harassment, DMS Rule 60L-36.004, F.A.C.</p> <p><input type="checkbox"/> Chapter 112, F.S. Part III, Code of Ethics for Public Officers and Employees</p>																				
<p><b>C. Recommended Reading</b></p> <p><input type="checkbox"/> Florida Retirement System Handbook**</p> <p><input type="checkbox"/> Florida Retirement System New Hire Road Map**</p>																				
<p><b>I understand that it is my responsibility to review and become familiar with the content of the documents listed under A, B, and C above within ten (10) days following the date of my signature. If I do not understand any provisions, I will ask my supervisor or Human Resources Office for clarification. I am expected to abide by the provisions therein, and if I do not, I understand that I may be subject to disciplinary action or other appropriate action. I acknowledge that it is my responsibility to read and comply with updates to the documents listed above when notified. I understand this form will be placed in my official personnel file and I will be given a signed copy of it.</b></p>																				
<p><b>I certify that the information on this form is true and correct. Refusal to sign this form will result in my termination from the Department.</b></p>																				
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%; border-bottom: 1px solid black;">Employee's Signature</td> <td style="width: 10%; border-bottom: 1px solid black;">Date</td> <td style="width: 25%; border-bottom: 1px solid black;">Signature of Witness</td> <td style="width: 40%; border-bottom: 1px solid black;">Date</td> </tr> <tr> <td colspan="4" style="text-align: center; padding-top: 10px;"> <div style="border-bottom: 1px solid black; width: 80%; margin: 0 auto;"></div>                     Typed or Printed Name                 </td> </tr> </table>			Employee's Signature	Date	Signature of Witness	Date	<div style="border-bottom: 1px solid black; width: 80%; margin: 0 auto;"></div> Typed or Printed Name													
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**Office of Inspector General  
Florida Department of Transportation**

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**APPENDIX E – Ethics Policy Pledge Form**

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Chapter 112, Part III, F.S.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**ETHICS POLICY PLEDGE FORM**

250-011-03  
HUMAN RESOURCES  
OGC - 11/13

1. I have been provided with a copy of Florida Department of Transportation's ***Ethics Policy, No. 001-010-020.***
2. I understand that, by holding a position within state government, I have taken on the privilege and responsibility of public service.
3. I am committed to maintaining an honest, ethical, and open system of government for the people of Florida.
4. I therefore pledge to honestly and faithfully comply with both the letter and spirit of the Ethics Policy, as well as the requirements set forth in ***Chapter 112, Part III, Florida Statutes***, in the discharge of my duties and responsibilities as a public servant. As part of this commitment, I pledge to be on guard against and to avoid the appearance of impropriety in conducting the people's business.
5. I further pledge that, should questions regarding appropriate behavior arise, I will seek guidance from the Ethics Officer on how to resolve the matter in question.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

Office of Inspector General  
Florida Department of Transportation

**APPENDIX F – Mandatory Training Matrix**



## Mandatory Training

<b>Employee Mandatory Training</b>				
	Course #	Once	Annually	Every 3 Yrs.
Aetna Resources for Life for Employees (CBT)	EO-18-0005	√		
Defensive Driving (CBT)	ST-09-0228			√
Equal Employment Opportunity Training (CBT)	BT-01-0013			√
FDOT Annual Ethics Training (CBT)	BT-01-0116		√	
FDOT Computer Security Awareness CBT (TRACK)	CU-11-0613		√	
Fire Prevention Annual Training (CBT)	ST-09-0057		√	
New Employee Orientation	EO-18-0004	√		
PF Employee Evaluations for Employees (CBT)	BT-18-0088	√		
Public Records Request (CBT)	BT-01-0121		√	
Zero Tolerance for Violence - Employee (CBT)	BT-18-0045	√		
<b>Supervisor Mandatory Training</b>				
	Course #	Once	Annually	Every 3 Yrs.
Aetna Resources for Life for Supervisors (CBT)	EO-18-0006	√		
Drug-Free Workplace Training for Supervisors/Managers (WBT)	SU-18-0043	√		
HR Supervisors Training (CBT)	SU-18-0046	√		
Managing Employee Performance (CBT)	SU-18-0045	√		
PF Employee Evaluations for Supervisors (CBT)	SU-18-0042	√		
Supervisory Skills Workshop (replaced Supervisory Academy)	SU-20-0070	√		
Zero Tolerance for Violence - Supervisors / Managers (CBT)	SU-18-0044	√		
<b>Interview Panel Mandatory Training</b>				
	Course #	Once	Annually	Every 3 Yrs.
Americans With Disabilities (CBT)	BT-20-0123	√		
Planning and Conducting the Oral Interview (CBT)	BT-18-0056	√		
<b>Position-Specific Mandatory Training</b>				
	Course #	Once	Annually	Every 3 Yrs.
Purchasing Card for Travel (CBT)	BT-01-0065			√
Purchasing Card for Commodities & Contractual Services (CBT)	BT-01-0066			√
Purchasing Card & Emergencies (CBT)	BT-03-0040	√		
<b>Safety Personnel Mandatory Training</b>				
	Course #	Once	Annually	Every 3 Yrs.
Safety Orientation CBT	ST-09-0197	√		

3/7/2016 JER

**Office of Inspector General  
Florida Department of Transportation**

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**Office of Inspector General  
Florida Department of Transportation**

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Under the supervision of:

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Joseph W. Gilboy, Audit Manager

Kristofer B. Sullivan, Director of Audit

Approved by: Robert E. Clift, Inspector General

**STATEMENT OF ACCORDANCE**

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The department's mission is to provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity, and preserves the quality of our environment and communities.

The Office of Inspector General's mission is to promote integrity, accountability, and process improvement in the Department of Transportation by providing objective, fact-based assessments to the DOT team.

This work product was prepared pursuant to section 20.055, Florida Statutes, in accordance with the Association of Inspectors General *Principles and Standards for Offices of Inspector General*, and conforms with The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

Please address inquiries regarding this report to the department's Office of Inspector General at (850) 410-5800.