



Department of Transformation and Shared Services Code of Ethics

The Department of Transformation and Shared Services (TSS) Code of Ethics is the written document that supports the culture of ethical and efficient service to the citizens of the State provided by this department. The Code of Ethics describes the behavior expected of employees that perform these services.

Code of Ethics

TSS employees have a responsibility to comply with the policy and procedures that aid in the prevention of fraud and support TSS's culture of honesty and ethical behavior. TSS will not condone employee conduct that either violates, or has the appearance of violating, the law, including the ethical provisions. TSS employees are required to review the Code of Ethics and sign an annual acknowledgement affirming they received a copy and reviewed it.

TSS employees have a responsibility to report all suspected violations of federal or state law involving TSS employees or anyone contracted to provide services to TSS. Reports should be made to TSS Business Operations Office immediately upon the employee becoming aware of a suspected violation.

Conflicts of Interest

TSS employees must not use their position or knowledge gained from their position for personal gain. Arkansas Code Annotated § 21-8-304 lists activities that are ethically prohibited for state employees and officials. In addition, employees must comply with Executive Order 98-04 and the policies that prohibit improper behavior, unacceptable personal integrity, and unacceptable ethics. If an employee has questions about whether an activity is prohibited or if an activity poses a conflict of interest, the employee should contact his or her supervisor or the TSS Chief General Counsel. Employees should immediately report to the TSS Chief General Counsel all suspected violations of federal or state law involving TSS employees or anyone contracted to provide services to TSS.

Outside Activities, Employment, and Services Rendered

An employee may have outside employment provided it does not constitute a conflict of interest or interfere with the performance of duties for the state and the employee has notified their supervisor prior to engaging in any outside employment. TSS employees must not engage in private employment during the work time he or she is being paid by the state. All TSS employees, regardless of position, are prohibited from providing any services for pay that are related to the business of TSS.

Relationships with Clients and Suppliers

Employees shall adhere to Arkansas Code Annotated § 19-11-705 in their relationships with clients and suppliers to avoid any conflict of interest. In addition, any employee who has or obtains any benefit from a state contract with a business in which the employee has a financial interest shall make a disclosure to the Secretary of the Department of Finance and Administration in accordance with Arkansas Code Annotated § 19-11-706.

Gifts, Kickbacks and Prohibited Commissions

Employees shall not accept entertainment, gifts, personal favors, or preferential treatment that could influence, or appear to influence, their decisions in performing job functions. For more information, refer to the Arkansas Ethics Commission Rules on Gifts.

TSS employees shall not receive kickbacks, prohibited commissions, or other prohibited payments from third parties. Violations of this rule will result in imposition of the penalties provided by law.

Specific procurement law addressing gratuities, kickbacks, and commissions is found in Arkansas Code Annotated §§ 19-11-707 and 19-11-708 and included in Part 4 of the Procurement Law and Regulations.

TSS Funds, Assets, and Records

Employees who have access to TSS funds must follow the prescribed procedures for recording, handling, and protecting money as detailed in the Department of Finance and Administration's (DFA) Financial Management Guide or other explanatory materials, or both. If an employee has knowledge of fraud or waste of public funds or assets, the employee is required by law to immediately advise his or her immediate supervisor. Personal use of TSS funds or assets is strictly forbidden.

TSS's records must reflect accurate and timely recording of all business transactions. Full disclosure of assets, liabilities, receipts, and disbursements must be made. Employees must not make or engage in making any false record or communication, whether internal or external, including but not limited to:

- False expense, attendance, production, financial, or similar reports and statements; or
- False advertising, deceptive marketing practices, or other misleading representations.

External Communication

Employees should not speak publicly on behalf of TSS on any topic unless they are explicitly authorized by TSS leadership. When dealing with anyone outside TSS, including public officials, employees should take care not to compromise the integrity or damage the reputation of TSS or any other entity. Employees shall not use TSS identification, stationery, supplies, equipment, or any combination thereof for personal or political matters.

Releasing TSS information shall be made pursuant to the [TSS FOIA Policy](#).

Privacy and Confidentiality

TSS employees are responsible for safeguarding personal information to ensure confidentiality. Additionally, TSS will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. All sensitive, personal information must be maintained in a secure manner in compliance with all applicable law.

When handling sensitive information, employees must observe the following principles:

- Collect, use, and retain only the personal information necessary for TSS business. Whenever possible, obtain relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
- Retain information only for as long as necessary or as required by law. Protect the physical security of this information.
- Limit internal access to personal information to those with a legitimate business reason to have the information. Use personal information only for the legitimate business purpose for which it was obtained.
- If a TSS employee becomes aware of a breach in maintaining the confidentiality of sensitive information, the employee should immediately report the incident to the TSS Chief General Counsel.

Reporting Suspected Fraud

TSS employees have a responsibility to report occurrences of ethical violations, fraud, waste, or abuse of TSS resources that can be verified through investigation. TSS employees shall be protected against any form of retaliation, including discharge, for reporting in good faith occurrences of ethical violations, fraud, waste, or abuse of TSS resources as stated in the Arkansas Whistleblower Act (ACA §§21-1-601–609). Investigations to substantiate reported allegations will be conducted in a confidential manner.

Allegations of ethical violations or fraud may be reported to the Arkansas State Employees' Fraud, Waste, and

Abuse Report Center by phone at 1-800-952-8248 or to the Department of Inspector General (DIG)—Office of Internal Audit by phone at 501-682-0370. A complainant may also choose to report fraud, waste, or abuse by submitting a Complaint Form to the DIG—Office of Internal Audit at one of the following addresses:

fraud@dfa.arkansas.gov

Department of Inspector General
Office of Internal Audit
323 Center Street, Suite 1200
Little Rock, AR 72201

In addition, employees with supervisory fiduciary responsibility over all fiscal matters shall report any loss of public funds to Arkansas Legislative Audit within five (5) business days of the date that the employee learns of the loss of funds in accordance with ACA § 25-1-124. This includes any apparent unauthorized disbursement of public funds or an apparent theft or misappropriation of public funds. In accordance with ACA § 25-1-124, any employee with supervisory fiduciary responsibility over all fiscal matters who purposely fails to report the loss of funds within the five (5) business days is guilty of a Class A misdemeanor. For more information, refer to the [TSS OPM Whistleblower Policy](#).

My signature on this document indicates that I have read and fully understand the prohibited activities and my responsibilities to TSS as listed in this Code of Ethics.

Printed Name

Date

Signature