



TABLED, August 18, 2010  
Revisited, August 25, 2010

**DRPA-10-055**

**New Business: August 18, 2010**

**Board Date: August 18, 2010**

**Establishing a Policy**

**Prohibiting Undue Influence  
by Commissioners, Officers  
and Employees**

## RESOLUTION

**RESOLVED:** That the Board adopt the policy prohibiting Commissioners, Officers and employees from exerting undue influence on Authority matters.

**SUMMARY:**

<b>Amount:</b>	N/A
<b>Source of Funds:</b>	N/A
<b>Capital Project #:</b>	N/A
<b>Operating Budget:</b>	N/A
<b>Master Plan Status:</b>	N/A
<b>Other Fund Sources:</b>	N/A
<b>Duration of Contract:</b>	N/A
<b>Other Parties Involved:</b>	N/A

**OGC**

5811887

## UNDUE INFLUENCE

**SCOPE** Defines the circumstances under which a Commissioner, Officer or employee of the Delaware River Port Authority and Port Authority Transit Corporation (collectively the Authority) may be determined to exert undue influence due to their title and/or position at the Authority.

**POLICY** Undue influence is an attempt, whether successful or not, by a Commissioner, Officer, or employee, to induce action or inaction by the Authority Board or by the Authority through any of its employees, with regard to any material issue pertaining to the Authority, based not on the best interests of the Authority and the public which it serves but rather motivated at least in some material respect by kinship, friendship, or business association, regardless of whether or not there exists any expectation of any personal material gain.

Commissioners, Officers and employees must avoid conduct that could create a reasonable impression of undue influence. A reasonable impression of undue influence may arise when a Commissioner, Officer or employee, knowingly or with reason to know, acts on matters affecting the interest, whether financial or non-financial, of a relative, friend, or business associate.

Moreover, because of the inherently exploitable nature of the relationship between a Commissioner, Officer or employee and any subordinate, a Commissioner, Officer or employee must avoid the appearance of undue influence by refraining from any conduct designed or likely to exert pressure on such officer or employee (in the case of a commissioner) or a subordinate (in the case of an officer or superior employee) with respect to any decision to act or not to act made by the officer, employee or subordinate regarding matters affecting the interest, whether financial or non-financial, of a relative, friend, or business associate of the Commissioner, Officer or employee.

As such, no Commissioner, Officer or employee of the Authority shall knowingly, or with reason to know:

(1) accept other employment or office involving compensation of substantial value, the responsibilities of which are inherently

TABLED, August 18, 2010  
Revisited, August 25, 2010

**incompatible with the responsibilities of such office or employment with the Authority;**

**(2) use or attempt to use his/her official position to secure for himself/herself or others unwarranted privileges or exemptions and which are not properly available on the same terms to similarly situated individuals;**

**(3) act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that a Commissioner, Officer or employee has exerted undue influence in the performance of his or her rule or duties as an Authority commissioner, officer, or employee.**