

Employee Ethics Policy

APRIL 17, 2018

Background

November 2017

- Charter election
- Proposition D approved adoption of an Ethics ordinance by City Council
- City Council hired outside attorney Alan Bojorquez to assist and facilitate development of an ethics ordinance

December 2017 – February 2018

- Council held five meetings with attorney Alan Bojorquez to draft the Ethics Ordinance

March 2018 – April 2018

- Public hearings on proposed ethics ordinance

April 10, 2018

- Ethics policy for employees presented to Council

Need for Employee Ethics Policy

Reinforce commitment to ethical behavior

Fill gaps in existing personnel policies and procurement manual

Provide a resource for employees

Protect employees and the City

Reflect core values

Conflicts of Interest

Policy includes conflicts related to:

- Procurement & non-procurement matters
 - Encourages employees to proactively disclose any relationship that presents a potential conflict of interest as soon as they are aware of the conflict.
 - Disclosure requirements when evaluating solicitations
- Nepotism
 - Applicant is ineligible for employment if related within 3rd degree of affinity (marriage/law) or consanguinity (blood relationships)
 - Applies to city employees within same operational division, Department Heads in their respective department, and City Council
- Secondary Employment
 - Disclosure and approval requirement
- Serving on boards, commissions, or associations
 - Disclosure and approval requirement when serving on boards who have business with the City through contracts or financial support
- Political Activity
 - Employees may not engage in political activity while on duty or in City uniform.
- Social Media Use
 - Employees should effectively communicate that their postings are their own personal opinions and do not represent the City.

Gifts, meals, or entertainment

Employees shall neither solicit nor accept **gifts, meals, or entertainment** offered from an individual, business, or organization due to their position with the City, regardless of amount.

A gift is defined as any tangible or intangible thing that can be reasonably inferred as benefitting the employee and/or influencing the employee's judgement or actions.

Includes but is not limited to cash, cash equivalents, merchandise, food baskets/trays, meals, transportation, lodging, entertainment, use of facilities or property, and discounts.

Food received from vendors will be donated to charity if unable to return.

Gifts, meals, or entertainment

Examples of **prohibited** items include:

- Meals provided by vendors
- Attending hospitality events at conferences
- Cash and gift cards
- Tickets for entertainment
- Raffle items at conferences

Exceptions include:

- Meals as part of community event where attendance by the employee is required as part of their essential duties
- Items received at city sponsored events for employees (Benefits & Wellness Fair)
- Perishable items given by public expressing general appreciation to entire department
- Transportation, registration, meals, or lodging provided due to a speech or service the employee rendered at the event
- Conference “swag bags”

Other

Honorariums

- Honorariums are defined as payment of money or anything of value for an appearance, speech or article. State law prohibits a public servant from soliciting or accepting an honorarium if the subject matter is directly related to the person's position with the City.

Games of chance

- An employee who is representing the City at an event or who is attending the event at the City's expense, shall not participate in games of chance or accept a prize or award from a game of chance associated with that event.

Use of City resources

- An employee shall not use, request, or permit the use of City facilities, personnel, equipment, supplies, or time for private purposes while on City duty.

Annual training requirement

Reporting unethical conduct

- Employees have duty to report unethical conduct
- Complaints reviewed and processed by HR and CMO

Policy revisions after April 10

Revisions have made to include:

Employees may seek prior approval to attend events for networking purposes

Compromised social media accounts resulting in communication that violates policy are to be reported.

Reference made to Harassment Prevention policy (108.10)

Recommendations

Staff recommends adoption of resolution approving Employee Ethics Policy

Staff will hold informational and training sessions for all employees with adoption of resolution

Procurement manual revisions for Council consideration at a future date

Personnel Policies revisions for Council consideration at a future date