

	City of Albany Human Resources Policy Policy #: HR-ER-04-002 Title: Ethics Policy	Employee Relations
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Purpose This policy is meant to provide employees and managers with an understanding of the City's expectations regarding ethical standards and principles.

Policy It shall be the policy of the City and its employees to adhere to the highest ethical standards and principles in complete compliance with law and regulations in the conduct of City business. Each individual employee is a representative of the City and, therefore, is responsible through his or her actions for projecting high ethical standards.

There are eight basic elements considered in this ethics policy. They are:

- (1) Gifts
- (2) Conflict of Interest
- (3) Conversion of City Property for Private Use
- (4) Use of Personal Property
- (5) Outside Employment
- (6) Political Activities
- (7) Use of Confidential or "Insider" Information
- (8) Ethics Panel

A. Gifts

- 1) The acceptance of personal gifts or other benefits by City employees or members of their immediate family may give an improper appearance and is, therefore, generally discouraged.
- 2) No employee shall solicit directly or indirectly any gratuity for personal use or benefit, regardless of value.
- 3) No employee shall accept directly or indirectly any gratuity, regardless of value, that is offered based on an understanding that an official action or judgment of the employee would be influenced.
- 4) An employee may accept unsolicited gratuities with an aggregate value up to \$50 in a calendar year, provided such offer and acceptance does not violate applicable state statutes but must verbally report gratuities to their immediate supervisor. However, it is the employee's responsibility to keep track of all gratuities received.
- 5) Employees may participate in events (e.g., community events, open houses), regardless of value, to which they are invited in their official, representative capacity for the City.

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B. Conflict of Interest

- 1) Any employee who is responsible for decisions in the selection of or participates in the recommendation and selection of any individual or business organization that furnishes merchandise, supplies, property, or services to the City will not have any direct interest with those organizations. For purposes of this section, "direct interest" is intended to include financial interest, interest by virtue of an employee's position of authority in a business or organization, or interest by virtue of a family or close interpersonal relationship.
- 2) Any employee who is responsible for making arrangements to receive loans (other than personal loans), commissions, royalties, property shares, or anything of value, will not have any direct financial interest with those organizations.
- 3) In those cases where the individual City employee may have interest in a business, organization, or individual seeking to do business with the City, the City employee must refrain from participating in a decision or recommendation that would result in a business relationship and declare a conflict of interest for that particular enterprise.

C. Conversion of City Property for Private Use

- 1) Each City Department Director is responsible and accountable for materials and equipment purchased for and used by their department. All equipment and materials are for the use of City employees on City business.
- 2) City employees will not convert City-owned equipment or materials or other City services to private use, except that City employees may utilize City services to the extent and degree that those services are offered to private citizens. City employees in that case would be obligated to pay the same fee, if any, in the same manner of the private citizen.
- 3) The City is oftentimes offered price differentials that are not offered to the public at large. City employees may not accept a price differential due to their employment by the City and may not purchase goods for their own benefit through the City purchasing process.

D. Use of Personal Property

- 1) A City employee may wish to use their own personal vehicle in the performance of their assigned work when a City vehicle is not available. Before using their personal vehicle for City business, the employee must receive approval from their immediate supervisor. Supervisors may grant blanket approval for routine personal vehicle use.



- 2) When employees are authorized to use their personal vehicles for City business, they must assure the City that their vehicle is insured to at least the minimum liability insurance coverage required by Oregon law.
- 3) Employees using their own vehicles for City business do so at their own risk. The City does not provide collision or comprehensive insurance coverage to or for employee-owned vehicles. Employees authorized to use their own vehicle for City business on more than a casual basis should inform their personal insurance agent or carrier.
- 4) The City will normally provide all of the necessary equipment and materials to each employee to complete their assigned job responsibilities. The employee's immediate supervisor will inform the employee of the availability of the equipment and materials, and instruct the employee in the safe operation or use of City property. If an employee elects to use their personal property for City business, it is at the risk of the employee and their personal property will not be replaced or repaired if it is lost, stolen, or damaged.

E. Outside Employment

- 1) The City policy is to limit outside employment of City employees when that employment represents a conflict of interest with their regular City employment or when the demands of another employment situation adversely affects the individuals' job performance in their City assignment or when outside employment may represent a financial or personal interest adversely affecting the employee's judgment or when such employment represents a discredit to the City or City employment.

F. Political Activities

- 1) There are restrictions imposed by ORS 260.432 on the political activities of public employees. "No public employee shall solicit any money, influence, service or other thing of value or otherwise promote any political committee or promote or oppose the nomination or election of a candidate, the adoption of a measure or the recall of a public officeholder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views." As a public employee, you may engage in political activity except to the extent prohibited by state law when on the job during working hours.

G. Use of Confidential or "Insider" Information

- 1) Occasionally City employees are made aware of information which has not been released to the general public for a variety of reasons. This information could sometimes be used for financial investment, competitive advantage, or other purposes which might work to the advantage or disadvantage of others. It is improper for an employee to use any such information gained as a result of her/his employment with the City for purposes of personal investment or

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gain or to inform others who might benefit from such information until after the information has been made available to the general public. Questions of judgment in this area should be discussed with the employee's supervisor and department head, and subsequent actions should be documented in writing.

H. Ethics Panel

- 1) The City may designate an Ethics Panel to review potential and alleged violations of this human resources policy. The panel will consist of one member of the City administration, a member chosen by the party alleged to have violated this policy, and a third party selected by the other panel members, or in the case that the parties are unable to agree on a selected third party, they may refer to the Oregon Employment Relations Board, Mediation and Conciliation Service, or other mutually impartial service to appoint the third member to the panel. The panels findings and recommendations will be formalized and forwarded to the Human Resources Director and the City Manager for final determination.

Definitions

Gift: The Oregon Government Ethics Commission interprets a “gift” as something of economic value that is offered to,

- A public official or candidate or to relatives or members of the household of a public official or candidate,
- Without cost or at a discount or as forgiven debt and,
- The same offer is not made or available to the general public who are not public officials or candidates.

Source of Gift: The Source of a gift is defined as the person or entity that makes the ultimate and final payment of the gift’s expense. Therefore, the public official must know the identity of the source and value of gifts accepted from that source to remain compliant with this policy.

References

Human Resources Policy Outside Employment
Human Resources Policy Use of Office and Telecommunication Equipment
Gratuity/Benefit Report

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Review and Authorization

Supersedes: HR-ER-04-001	Created/Amended by/date: DS; 05/21/2015	Effective Date: 06/01/2015
HR Director:	City Manager:	

1. Form or worksheet revision related to this document? No Yes

If yes, attach a copy of the revised form or worksheet.

2. Training required? No Yes