

4-01 CODE OF CONDUCT

1. **Professionalism** – The City is a public entity whose purpose, among others, is to provide professional services to its citizens. City employees must adhere to high standards of public service that emphasize professionalism and courtesy. City employees shall conduct themselves in a way that will bring trust and respect to themselves and the City. All employees are expected to respect their fellow employees, co-workers, colleagues.
2. **Conflict of Interest** -
 - To avoid potential conflicts of interest prohibited by state law and City Code, all new employees will file an “Employee Disclosure Statement” (*see appendix, pp. 65*) with the City Recorder.
 - If the value of an employee’s interest in an entity that does business with the City is significantly increased, the employee is required to file an updated “Officer and Employee Disclosure Form.”
 - Additionally, each Elected Official, Appointed Official, or employee designated by the City Manager, is required to submit an “Officer and Employee Disclosure Form” annually.
 - All employees will comply with all conflict-of-interest requirements of the City Code.
3. **a) Honesty** – Employees shall be honest in word and conduct and never use their position to benefit themselves or another party through the disclosure of or by acting on confidential information, award of work, procurement of supplies, or use of City facilities, equipment, or resources.

b) Reporting Fraud, Waste, and Abuse - The City recognizes the need to establish the reporting and investigation process for suspected fraud, waste or abuse by City employees, vendors, or the public.

 - Reporting Procedure – Employees are responsible to report fraud, waste, abuse, and other irregularities.
 - Suspected fraud, waste or abuse should be reported immediately, providing as much information as possible to aid in the investigation including names of individuals involved, details about the issue and the date, time and place of the occurrence.
 - Employees who report suspected fraud are protected by the Utah Protection of Public Employees Act. (Utah Code Ann.§67-21-1 et seq.)

Types of Behavior That Should Be Reported

- Gross mismanagement
- Abuse of authority
- Unethical conduct
- Undisclosed conflicts of interest

- Physical or emotional abuse
- Using City assets for personal benefit
- Time sheet violations
- Wasteful or fraudulent purchases
- Theft
- Forgery
- Other irregularities

Employees may file a report directly through one of the following means:

- Immediate Supervisor
 - Department Head
 - Human Resources
 - City Manager
 - State Auditor's Fraud Hotline at 1-800-622-1243
- Employees shall not file a false, frivolous, or malicious report.
 - Employees shall not alert suspected individuals that they are the subject of or part of a fraud, waste, or abuse report. If a supervisor is suspected of being involved in the activity being reported, the employee should choose a reporting avenue that does not involve that supervisor.
 - Employees shall not attempt to personally conduct investigations or interviews/interrogations related to any suspected inappropriate activity. The employee making the report should not contact the suspected individual to determine facts or demand restitution.
 - Investigation Procedure - Reported fraud, waste or abuse will be investigated thoroughly by the proper level of management or by an independent third party.
 - Disciplinary Action - Fraudulent, wasteful, or abusive behavior may result in disciplinary action up to and including termination of employment.
- 4. Confidentiality** – Employees shall not disclose, or willfully allow to be disclosed, any information gained by reason of their position, for any reason other than its official or authorized purpose. Employees will comply with the confidentiality requirements of state law and the City Code, including restrictions against disclosing or using private, protected, or controlled information acquired by reason of a member's official position for the employee's or another's private gain or benefit.
- 5. Gifts & Gratuities** – City employees are prohibited from knowingly receiving, accepting, taking, seeking, or soliciting, directly or indirectly any gift of substantial value or a substantial economic benefit which would tend to improperly influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties. This section does not apply to the following:

- an occasional non-pecuniary (not cash) gift having a value of less than \$50;
- an award publicly presented;
- any bona fide loan made in the ordinary course of business; or
- political campaign contributions if the contribution is used in a political campaign.

6. Attendance – All employees shall meet attendance and punctuality requirements in accordance with department and supervisory guidelines.

7. Appearance – In order to maintain a professional atmosphere and appearance, all employees shall maintain the following minimum standards:

- Employees must maintain a high standard of personal hygiene. Employees must appear neat and clean and have no offensive odors. An employee's hair must be clean and groomed.
- Employees' dress and appearance must be appropriate to their employment. Appropriateness may vary, depending upon the nature of work performed, safety concerns, and the degree of public contact.
- Employees must wear clothing that is clean and neat, and not torn or frayed. Employees must avoid clothing that is unduly revealing, immodest, or otherwise inappropriate for a professional office setting or other work environment.

8. Tattoos/Branding –

- Employees are not permitted to have tattoos or branding on their face or head, except for permanent makeup, such as eyeliner, eyebrows, or lipstick, in natural skin or hair colors. The neck is not considered part of the face or head.
- Tattoos or branding that violate the City's harassment policy or include content offensive to modesty, decency, propriety, or professionalism must be covered while at work.

This dress code policy will not be enforced in a manner that discriminates against anyone based on a protected class, such as race, sex, gender identity or gender expression, religion, national origin, or any other class protected by federal, state, or local law.

9. Personal Use of City Property –

- The City recognizes the benefits to the community when employees can use City owned property for incidental personal use in addition to the primary use of fulfilling the employee's duties. To enable employees to use City owned property that has been issued to them in a manner that best serves the public, employees are authorized to use or possess any City owned property issued to them for any incidental personal use, so long as the property is used in a lawful manner. This

policy deems that any public property issued to an employee is property in that employee's possession and that the employee's use or possession of said property is to fulfill their duties as a public servant. This policy concludes that incidental or personal use or possession of public property by the employee is authorized by this policy. Employees are authorized to possess City owned property provided it is not for the purpose to deprive as defined in Utah Code Ann. § 76-6-404.

- Employees are authorized to use City owned property for incidental personal use. Incidental personal use of City owned property includes, but is not limited to, use that does not interfere with the employee's job performance, the use does not substantially diminish the value of the City owned property, the use is for training or skill development, the use does not incur substantial cost to the City, or the use is implicitly authorized by an adopted budget so long as the property is used in a lawful manner. By way of illustration and no limitation incidental personal use means use or consumption of office supplies, use or consumption of first aid supplies, use or consumption of lunch room supplies, use of a take home vehicle and stopping at the grocery store, dry cleaners or other personal errands on the way to work or on the way home, use of City electronic communication to check on the status of a family member, make or confirm appointments, check on the status of a delivery, reading news articles, accessing bank accounts, checking/responding to personal e-mails or checking/viewing social media. This policy is enacted to satisfy the requirements of a written policy to eliminate criminal exposure for an employee's use of City owned property under Utah Code Ann. § 76-8-402

10. **Electronic Communication Devices -**

Personal Electronic Communication Devices

- The use of personal electronic communication devices, including but not limited to radios, satellite phones, cellular phones, computers, and tablets, shall not unreasonably interfere with the performance of the employee's duties or interfere with City business operations. The City Manager may restrict or prohibit the use and/or possession of personal electronic communication devices for safety or other operational reasons.

City Electronic Communication Devices

- City electronic communication devices and all content are the property of the City, and there is no expectation of privacy for any employee. These devices are primarily provided to facilitate the effective and efficient completion of job duties.
- Use is only permitted by the employee and other authorized employees.
- Employees shall not use City electronic communication devices to violate the City's harassment, discrimination, or other policies.
- Employees shall not use City electronic communication devices to download, view, print, share, or store any sexually explicit content (including but not limited to photos, emails, or texts) except as necessarily required by the employee's official job duties.

Inadvertent exposure shall be immediately reported to the employee's supervisor.

- Employees shall not use City electronic communication devices for on-line gaming, gambling, or criminal activity.
- Employees shall not download or store any unlicensed media or software on City electronic communication devices.
- Employees shall not install non-City licensed software on networked City electronic communication devices without approval of the City Manager or his/her designee. Accounts for non-network applications are required to be in the name of the employee or an approved City account authorized by the City Manager.
- Employees shall not store, copy, or transfer unauthorized City records, electronic content, software, or computer code.
- The City retains the right to monitor, deny access to, or copy both City and non- City content at any time, including communications made on a third-party server, regardless of the use authorized.

11. Personal Social Media Participation —

- Social media has changed the way people communicate. It is public perception that employees who participate in social network represent themselves and the City. It is not the City's intention to restrict an employee's ability to engage in social networking on his own time. Unless specifically authorized, employees are not authorized to speak on behalf of the City. If employees post content concerning the City to their own personal network site and the content is job related or about the City, the employees should make it clear that they are not representing the City and that the contents being posted do not represent the views of the City. Employees are responsible for the content they post. Employees may not post confidential, protected, or private information. The City may use social media (such as reviewing an applicant's or employee's post) to evaluate applicants for jobs, promotions, etc. Posting distasteful, immature, or offensive conduct may have an effect on job evaluation and applicants. Social media sites are not the form for venting grievances, discipline matters, or personal complaints about supervisors, coworkers, or the City. Only employees who have received training approved by the City Attorney may monitor City social media sites and remove content.

12. Reporting of Child Pornography -

- All City computer technicians will comply with the mandatory reporting requirements of Utah Code Ann. § 76-10-1204.5.
- If a computer technician, during the course of City employment, views an image on an electronic device that appears to be child pornography, the employee shall immediately notify the finding of the image to the City Manager.

- The City Manager shall immediately report the finding to a state or local law enforcement agency, or the Cyber Tip Line at the National Center for Missing and Exploited Children; and document the same.

13. Outside Activities – City employees shall not use City-owned property or work time in support of outside interests and activities, except as authorized by a City Manager or his/her designee.

14. Political Activity – City employees shall not use City-owned property, work time, or influence of position over other employees while engaging in any political activity.

15. Secondary Employment -

- Employment with the City as a full-time employee shall be an employee's primary employment. City employees are permitted to engage in secondary employment upon written approval from the City Manager or his/her designee. Secondary employment includes any sole proprietorship, partnership, or other self-employment.
- Consistent with other sections of the Employee Handbook and applicable law, the City may restrict or limit secondary employment during administrative leave, sick leave, worker's compensation, transitional duty, FMLA leave, leave without pay, or as a disciplinary action.

16. Prohibition on Recording Other Employees -

- No employee may record, by any means, a conversation with another employee unless the following requirements are met:
 - there is a legitimate reason for the recording;
 - the recording device is in plain view;
 - the employee being recorded is notified of the recording; and the recording has been authorized, in writing, by the employee's supervisor.
- Exceptions – the operation of authorized general recording practices of the City such as law enforcement investigations and oversight, the recording of meetings, and the conduct of authorized City investigations.