

CITY OF HICKORY ETHICS POLICY AND PROCEDURE

1. POLICY AND PURPOSE

Ethics is a system of moral principles that govern the behavior of an individual or group of people. The purpose of this ethics policy is to establish ethical standards of conduct for employees of the City of Hickory. It is not a substitute for the law or for a City employee's best judgment. The City upholds, promotes, and requires the highest ethical standards of all City employees, including full-time, part-time, seasonal, and temporary workers. In establishing this ethics policy, the City desires to promote public and employee confidence in City government, preserve government integrity, and protect the public against decisions affected by undue influence, conflicts of interest, or any other violation of this policy. Adherence to this policy will help the City to deliver high quality services through excellent and ethical employees focused on innovation, communication, and customer service.

2. PRINCIPLES

A. ETHICAL: Employees will be ethical.

1. Employees shall not reveal classified or private information (including photographs and videos) or use such information for speculation or personal gain.
2. Employees shall not use their position to obtain official information about any person or entity outside of the performance of official responsibilities.
3. Employees shall decline any gift valued at more than twenty-five dollars (\$25.00) for themselves or their families.
4. Employees shall not use their office or position for their personal benefit, gain, profit, or to obtain special privileges or exceptions for themselves or their immediate families, or to improperly benefit other entities.
5. Employees shall not take advantage of any person under their supervision for personal gain or to benefit any other City employee.
6. Employees shall not use any City-owned vehicles, equipment, materials, money, or property for personal convenience or profit. Use is restricted to services that are available to the general public. Employees shall follow established practices and procedures for using equipment for City business.

B. EQUALITY: Employees, prospective employees, and citizens will enjoy equal treatment.

1. The City shall not discriminate on the basis of race, color, religion, gender, age, national origin, veteran status, disability, sexual orientation or marital status.
2. The City and its employees shall avoid bias and respect cultural differences as a part of decision-making.
3. The City shall abide by the Genetic Information Nondiscrimination Act of 2008 (GINA). This means that the City shall not discriminate based on family medical history, genetic disorder, etc., nor shall employers ask for such information.
4. The City shall extend equal opportunities to all.

C. BEHAVIOR: Employees are to be trustworthy, honest, respectful and service-oriented toward the public, and will perform duties to the best of their ability.

1. Employees shall maintain public confidence in their office and performance through professional conduct and appearance.
2. Employee influence on others shall remain professional. Employees are expected to maintain the highest level of professional behavior when dealing with employees that they supervise or could influence.
 - a. Employees shall not pressure other employees, verbally or otherwise, to do unethical, illegal, or immoral acts.

- b. Employees shall not grant or request personal favors (shift assignments, working conditions, etc.).
 3. City employees shall at all times be aware of public perception and avoid even the appearance of improper behavior.
 4. Employees demonstrate the core values of the City – innovation, communication, and customer service.
- D. DRUG AND ALCOHOL:** All employees are prohibited from engaging in the unlawful manufacture, distribution, possession, or use of controlled substances. All employees are prohibited from being intoxicated, impaired, or under the influence while conducting City business or while acting as a representative of the City as stated in the Drug and Alcohol Policy.
- E. HARASSMENT AND VIOLENCE:** Employees are prohibited from threatening, harassing, and acting violently toward others while on duty. The City of Hickory has a zero tolerance policy for acts and threats of violence, intimidation, coercion, harassment, and sexual advances or conduct. In the event an employee violates this rule, disciplinary action will take place potentially including dismissal and arrest in accordance with the Workplace Violence Policy and the Anti-Harassment Policy.
- F. LAW AND POLICY:** City employees are to abide by the law.
 1. Employees will uphold the laws and regulations of the United States as well as those of state and local governments, and will not engage in activities that undermine that authority.
 2. Employees' illegal actions off-duty may be cause for disciplinary action by the City, including suspension or termination.
 3. Reporting unlawful or improper actions is appropriate. Employees are expected to use the proper chain of command, or contact the Human Resources Department for further investigation.
 4. Employees will be familiar with and abide by all City policies. The Human Resources Department is responsible for training on these policies.
 5. Employees should set the public example by obeying the law on and off duty and should be aware that inappropriate private actions can send a negative public message.
- G. CONFLICTS OF INTEREST:** City employees will avoid conflicts of interest and the appearance thereof.
 1. Conflicts of interest occur when an employee is no longer able to remain impartial when choosing between the interests of the City and his or her personal interests.
 2. Employees shall not engage in any activity that conflicts with their duties or responsibilities.
 3. Employees shall immediately inform their supervisor or manager if involved in a situation that may cause a conflict of interest or presents the appearance of conflicting interests.
 - a. The employee shall identify his or her interest, that is, the benefit or advantage that would be gained or lost if the City acted on the matter in various ways, and the underlying basis of it, such as ownership, an investment, contract, claim, employment, relationship, etc.
 4. No City employee will influence the City's selection of, or conduct business with, a corporation, person, or firm proposing to do business with the City if the employee has a personal relationship or any financial interest in the company.
 5. No employee shall accept any gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to his/her knowledge is interested directly or indirectly in business dealings with the City. Any employee violating the provisions of this section shall be subject to suspension or termination in accordance with Personnel Ordinance Art. V, Section 8.

6. Failure to disclose conflicts of interest is grounds for discipline including termination and any participation of the officer or employee in the matter shall be null and void (in accordance with North Carolina G.S. §14-234(f)).

H. OUTSIDE EMPLOYMENT: Outside employment should not impair independence of judgment or action in the performance of official City duties, nor will it interfere with the time and attention devoted to the employee's City job. Employees will not use City equipment for an outside job. Employees must obtain written City approval of the intent to engage in outside employment. Unreported or conflicting outside employment shall be grounds for disciplinary action or dismissal in accordance with the Personnel Ordinance Art. V, Sections 3 & 5.

I. POLITICS: Any political action should be done as a private citizen. The intent of this section is not to prevent City employees from exercising their freedom of speech and engaging in civic activities (in accordance with the Personnel Ordinance, Art. V, Section 9).

3. PROCEDURES

A. Employees are expected to:

1. Report concerns through the proper chain of command or contact the Human Resources Department.
2. Provide the information necessary to make a fair and honest assessment and determination of concerns.
3. Report ethical concerns based on fact rather than hearsay, gossip, or personal bias.

B. Supervisors, Division Managers, Department Directors, Assistant City Managers, and the City Manager will:

1. Create an environment where employees are encouraged to discuss work concerns of an ethical nature.
2. Investigate concerns based on facts.
3. Be open and honest while maintaining confidentiality to the extent possible.
4. Treat all employees fairly and consistently, without bias.

For more information see the full versions of the Personnel Ordinance, Conflict of Interest Ordinance, Drug and Alcohol Policy, Workplace Violence Policy, Anti-Harassment Policy, Outside Employment Policy, Title II of the Genetic Information Nondiscrimination Act, and North Carolina General Statutes §14-234, §133-32, and §160A-169.

Approved:  Date: 10/30/12