

## POLICY STATEMENT

**Subject: Professional and Personal Conduct**

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Policy number: 700

### Purpose

The integrity and image of an organization is based on the integrity of the employees who comprise it; not just administration, but all employees. Therefore, it is important to have recognized and accepted standards of conduct, both on the job and off the job, when one's behavior reflects upon the City's image and reputation in the community.

The purpose of this policy is to provide specific standards of behavior for City employees to adhere to.

### Policy

It is the policy of the City to expect, uphold, promote, and demand the highest standards of conduct from all of its employees and officials, whether elected, appointed, or hired. Accordingly, all City employees and officials should maintain the utmost standards of personal integrity, truthfulness, honesty, ethics, and fairness in carrying out their public duties. They should avoid any improprieties, real or perceived, in their personal or professional lives, and never use their City position or powers for personal gain. The following values were developed by the City Values Task Team and adopted by the City Council on April 8, 1997.

In our culture we value:

- The individual
- The team
- The customer

We express this by setting ethical standards and the display of integrity in the performance of our duties.

We expect:

- Each task to have a purpose
- The individual to step up and lead
- Positive examples to be set by leadership

Our expectations are fulfilled by consistency between our words and our actions.

We believe:

- Our first responsibility is to our internal and external customers
- In the mission and vision of our organization

Our beliefs are demonstrated by actions rather than empty promises. Our organizational culture fosters mutual respect, trust, and empowerment.

## **Relevant Issues**

Proper conduct is defined in a number of ways. The following describes some of the most common conduct-related issues and clarifies the City's policy on that issue.

### **A. Conflict of Interest**

Employees are subject to the provisions of A.R.S. Section 38-501 through 38-532 regarding conflict of interest. While not exclusive, specific examples of conflict of interest are enumerated below for the guidance of employees.

#### **1. Interest in Appointments**

Employees should not canvass the Mayor or members of the City Council, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to a City job. This does not apply to positions filled directly by the City Council.

#### **2. Preferential Treatment to Individuals**

Granting any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen is prohibited.

#### **3. Disclosure of Confidential Information**

The City maintains confidential materials of various kinds, i.e., financial records, personnel data, administrative/legal opinions, software programs, and nonpublic records designated as confidential by the City Manager, Deputy City Manager, or designee.

All employees are expected to assume responsibility for safeguarding City records, equipment, property, and other materials. Access to certain material is based upon job classification and a need-to-know basis. Appropriate confidentiality will always be maintained.

4. Representing Private Interest before City Agencies or Courts

No person whose salary is paid in whole or in part by the City shall appear on behalf of private interests before any agency-related City activities. They shall not represent private, business, and/or financial interests in any action or proceeding against the interests of the City in any litigation to which the City is a party.

5. Interest in Contract with the City

No employee of the City shall have any interest in any contract made by them in their official capacity or by any committee, board, or commission of which he is a member, agent, or employee.

6. Disclosure of Interest in Legislation

An employee who has a financial or other private interest shall disclose conflict of interest in writing on the records of the City or other appropriate authority, the nature and extent of such interest.

Any employee who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale, purchase, or service.

Any employee who has, or whose relative has, a substantial interest in any decision of a public agency shall make known such interest in the official records of such public agency and shall refrain from participating in any manner as an employee in such decision.

**B. Unlawful Harassment, Discrimination, Workplace Violence and Unlawful Activity**

The City prohibits any form of employee discrimination, workplace violence, unlawful activity including sexual harassment and harassment based on race, gender, national origin, religion, age, pregnancy, veteran status, genetic information, disability or any other protected category or status. Discrimination, workplace violence, unlawful activity including sexual harassment and harassment on the basis of sexual orientation is also prohibited. Harassment is unlawful and is prohibited by Title VII of the Civil Rights Act of 1964.

Sexual harassment can include sexual advances, requests for sexual favors, and/or any unwelcome verbal or physical conduct of a sexual nature. It does not refer to occasional compliments of a socially acceptable nature or welcomed social relationships between co-workers.

This policy prohibits any demand for sexual favors. It also prohibits subtle pressure for sexual favors, including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or refusal thereof), will have any effect on the person's employment, job assignment, wages, promotion, or on any other conditions of employment or future job opportunities. The following is a list of example situations that can constitute harassment:

1. Unwanted sexual advances, flirtations, invitations, comments and/or propositions.
2. Verbal abuse of a sexual nature, sexually related comments and jokes, graphic suggestive or degrading comments about employees, their body, their dress, or their appearance.
3. Any physical contact or unwanted touching; such as assault, patting, pinching, brushing against another's body, impeding or blocking movement, or any physical interference with normal work or movement when directed at any individual.
4. Verbal harassment regarding the individual's membership in a protected class, (i.e., race, sex, color, national origin, religion, disability, or age) such as, but not limited to, epithets, derogatory comments, jokes and/or slurs, profanity, gestures, racial jokes, or forms of address.
5. Visual forms of harassment such as derogatory and/or sexually oriented cartoons, posters, pictures, drawings or the display of sexually suggestive objects or pictures (including photographs) in the workplace.
6. Undesirable work assignments due to membership in a protected class (i.e., race, color, sex, national origin, age, disability, religion, etc.).
7. Any employee who uses sexual behavior to implicitly or explicitly threaten, coerce, influence or affect the employment, job status, salary or performance of another employee.

All City employees must report immediately, without fear of retaliation, any unlawful activity, discrimination including unlawful harassment, and workplace violence so that complaints can be investigated quickly and fairly resolved.

All reported activities shall be made to the Department Director, Human Resources Director, the City Manager or the Deputy City Manager.

**C. Chain of Command**

To ensure departmental communication is clear, accurate, and everyone is well informed, the City requests all employees follow the chain of command established within the employee's department.

**D. Secondary Employment**

The City shall be the principal vocation of regular, full-time employees; however, an employee may engage in secondary employment provided the following conditions are complied with:

1. It does not interfere with efficient job performance.
2. It does not in any way conflict with the interests of, or information held by the City.
3. It is not a type of employment that would reasonably give rise to criticism or suspicion of conflicting interests or duties.

**E. Political Activity**

Employees are encouraged to vote and will be given time off for voting consistent with state law. However, employment shall not be offered as an inducement for supporting a candidate for public office. Nothing herein is intended to limit or restrict the right of the employee to the free expression of their political views.

Specifically, no employee of the City shall:

1. Simultaneously hold or be a declared candidate for a paid, public, elective office or a paid, public, appointive office within the jurisdiction of the City of Goodyear.
2. Engage in any activities permitted by this section while on duty, while in uniform, clothing, or apparel with the City name or logo, within City facilities, utilizing City property, or at City expense.
3. An employee of the City shall not be a member of any national, state or local committee of a political party, an officer or chairperson of a committee of a partisan political club, and shall not take part in the

management or affairs of any political party or in the management of any partisan or non-partisan campaign or recall effort, except that an employee may:

- a) Express an opinion.
- b) Attend meetings for the purpose of becoming informed concerning the candidates for public office and the political issues.
- c) Cast a vote and sign nomination or recall petitions.
- d) Circulate candidate nomination petitions or recall petitions.
- e) Engage in activities to advocate the election or defeat of any candidate.

Under this Section, an Employee may not:

- a) Make contributions to candidates, political parties or campaign committees contributing to candidates or advocating the election or defeat of candidates.
  - b) Solicit or encourage contributions to be made directly to candidates or campaign committees contributing to candidates or advocating the election or defeat of candidates.
4. Use their influence, power, or position to reward or give favors in return for partisan participation on any campaign for any candidate or cause.

#### **F. Acceptance of Gifts**

The City as a whole is judged by the integrity of its employees. To uphold the highest standard of ethical behavior, under most circumstances, the City does not condone the acceptance or solicitation of gifts.

#### **G. Professional Attire at Work**

Dress and personal appearance are representative of both personal and organization professionalism. The image of the City in the larger community is determined, in part, by the professional conduct and attire of its employees. It is therefore imperative that each employee maintains a neat and clean appearance as well as dress in a manner which projects a professional image to the public.

## H. Professional Conduct at Work

A relaxed and friendly atmosphere at work is encouraged as conducive to productivity, teamwork, and morale. However, professionalism and personal safety cannot be compromised.

### 1. Employee Behavior

All employees shall treat each other, their supervisors and the citizens with the utmost dignity and respect. Insubordination, inappropriate, threatening or offensive language will not be tolerated.

### 2. Appearance of Work Areas

Work areas are to be kept neat and presentable in the interest of safety and efficiency, presenting a professional appearance at all times for co-workers and visitors alike.

### 3. Use of City Vehicles and Equipment

City vehicles should be used only for City business and should not be used for personal errands. Employees operating City vehicles and equipment are required to comply with all state and local traffic laws. Safety belts must be worn while riding in or driving a City vehicle. If safety belts are inoperable or are not provided, employees should immediately contact their supervisor and report any safety deficiencies.

### 4. Care of Personal Belongings/City Supplied Items

The City does not assume responsibility for the loss of personal money or belongings, nor is it covered by insurance for such loss. Therefore, each employee needs to protect his or her personal belongings while at work. The City may provide certain clothing, clothing allowances, equipment, and other items for designated positions to aid an employee to perform assigned duties. It is the responsibility of the employee to wear, use, and maintain City-provided materials.

## I. Professional Conduct Outside of Work

As a representative of the city, employees are held to a higher standard of ethics and behavior. Employees wearing a city uniform, city logos, or city ID badges outside of the workplace and outside of work time, are still identified as city employees and should be cognizant of such. In addition, city employees are provided services from outside vendors such as benefit providers and the city clinic. All employees shall treat providers of city services with the utmost dignity and respect. Inappropriate language or actions with regard to these providers will not be tolerated. Access to

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providers could be suspended and/or disciplinary action could be initiated if such inappropriate behavior occurs.

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#### **I. Use of City Computer Hardware and Software**

The use of computers is a critical part of the work environment. Employees are required to use the City's technological resources in the most prudent manner and in support of the City's mission. Users should have no explicit or implicit expectation of privacy related to their use of City computer systems, including e-mail and Internet use. City computer systems may be monitored for all lawful purposes without prior notice. All information placed or sent over the City of Goodyear's systems may be monitored without prior notice, and may be examined, recorded, copied, and used for authorized purposes. The City prohibits improper and unlicensed use of City computer hardware, software and accessories.

#### **J. Intellectual Property Rights**

While employed by the City of Goodyear, all employees shall grant the City of Goodyear exclusive rights to patents, copyrights, inventions, and all other intellectual property they originate or develop during working hours and/or that utilize City equipment, training, or resources in their development.

Employees shall retain the rights to patents, copyrights, inventions and all other intellectual property that they originate during non-working hours and that do not utilize City equipment, training, or resources, but Employees shall grant the City a license to utilize such intellectual property for its own purposes in a non-commercial manner at no cost to the City.

#### **K. Delegation of Authority**

When a supervisor or above plans to be away from the work site, he or she has the authority to delegate supervisory responsibility and signing authority to the person next in command.

#### **L. Confidentiality**

The City maintains confidential materials of various kinds, i.e., financial records, personnel records, administrative/legal opinions, software programs, and non-public records designated confidential by the City Manager, Deputy City Manager or designee. All employees are expected to assume responsibility for safeguarding City records, equipment, property, and other materials. Access to certain material is needed upon job classification and a



need-to-know basis. Breach of confidentiality is considered a serious matter and disciplinary action may be taken up to and including termination.