



Ethics Handbook

City Mission Statement:

Serving the citizens of Avondale: Building community...celebrating diversity...fostering pride.

City Values:

We value integrity, communication, customer service, innovation, creativity, and our history and culture as we fulfill our mission.

INTRODUCTION

Ethics is defined as a system of moral principles governing the appropriate conduct of an individual or group. Ethical behavior is the foundation for excellent customer service. The City's ethical performance standard is guided by the simple principles of:

- Knowing right from wrong,
- Acting in accordance with what is right
- Avoiding even the appearance of what is wrong.

Avondale employees demonstrate these principles through the practice of ethically-driven customer service:

Empathetic,
Thoughtful,
Honest,
Intelligent, and
Caring
Service.

This handbook reviews various ethical scenarios that relate to the Policy and Procedures Manual. The handbook's purpose is to provide examples of ethical behavior to ensure that each employee maintains public trust through ethically-driven public service.

SETTING THE STAGE

Q: Have you ever been asked to do a favor for a member of the public that caused you some concern?

Q: Has someone offered you a gift, asked for a break, or requested an exception?

Q: Have you seen a co-worker take something from the City?

Q: Are you aware of a co-worker working under the influence of drugs or alcohol?

Q: Are you aware of an employee treating another employee or a member of the public inappropriately?

Q: Have you observed situations or actions of others that may seem wrong and wondered what to do about it?

If you answered yes to any of the questions listed above, the following information may help you to face the challenges of making the right decision.

ETHICAL AREAS AND EXAMPLES

Alcohol Use

Drinking alcohol of any kind during the work hours (to include breaks and meal periods) or during off-hours while wearing City of Avondale apparel is not acceptable and will result in disciplinary action.

Example: An employee goes out to lunch at a restaurant and orders a beer with lunch. A resident observes this behavior and recognizes this person as an Avondale employee because he/she is wearing a uniform/apparel with the Avondale logo. The resident calls City Hall to complain that an employee is drinking on the job.

Policies and Procedures Manual, Chapter 7

Appearance

Staff is required to project the appropriate image and appearance for the work they perform. Appropriate attire, grooming, and behavior are required of each employee in his/her job and relationship with the public. Neatness, cleanliness, and good judgment are required of all employees when dressing for work. If a supervisor deems the dress to be inappropriate for the position, the employee will be sent home to change.

Example: An employee who has direct contact with the public comes to work in clothes that had been previously worn and not washed. The clothes are also wrinkled and stained. The supervisor directs the employee to go home and change into cleaner and more presentable clothes.

Professional Image and Appearance Administrative Procedure AP-10, October 6, 2003

Compensation and Employee Benefits

Compensation is the payment and the provision of an assortment of employee benefits that are given to employees in exchange for work performed as it relates to their duties. Employees are required to work the hours for which they are being compensated. Supervisors must be notified when employees have personal issues to address during work hours. Employees shall compensate the City for personal time taken by a.) working to make up for the personal time taken, or b.) by submitting the appropriate leave forms. Repeated violations of misreporting hours are grounds for dismissal.

Example: An employee drives a city vehicle home for lunch. The drive takes 10 minutes from the job site. The vehicle is parked on the curb outside the employee's home for 90 minutes. The return trip to the job-site takes 15 minutes. The employee works 60 minutes past the traditional end of the work day and marks 60 minutes overtime on the time card.

This example presents two ethical problems. The first is the appearance of the city vehicle in front of an employee's home for an extended period of time during the workday. The second issue is clocking 60 minutes overtime at the end of the day when the lunch period was not reported as being extended 60 minutes, assuming the lunch period is sixty minutes.

Policies and Procedures Manual, Chapter 5

Confidentiality

An employee is never to use or disclose any confidential information acquired in the performance of governmental duties as a means for personal/professional gain. Employees are expected to keep confidential various aspects of city business not intended for public disclosure. This is important for building trusted relationships between city employees and residents, stakeholders, and others doing business with the City. Abuse of confidential relationships and attempts to gain from confidential information will not be tolerated.

Example: As part of his/her job duties, an employee has access to residents' addresses and phone numbers. A member of the public asks the employee to divulge this information. Agreeing to give out that information would be considered a breach of confidentiality. Being paid for that information is not only unethical; the employee may also face criminal charges.

As described by applicable city departmental policies and signed confidentiality agreements.

Conflict of Interest

A conflict of interest occurs when an employee is no longer able to remain impartial or objective in choosing between the interest of the City and his or her self-interest. Conflicts of interests may develop directly or indirectly from a relationship with a vendor, a supplier, a customer, a competitor or any other person or company who deals with the City of Avondale. No employee shall engage in any activity or enterprise that conflicts with his or her duties as a City employee or with the duties, functions, and responsibilities in the department that he or she is employed. Employees must manage business affairs within City procurement guidelines and personnel policies to avoid conflicts and the appearance of conflicts of interest. Employees should immediately tell their supervisor or a manager if they become involved in a situation which might cause a conflict of interest or the appearance of a conflict of interest. Employees must ensure that they treat all businesses and individuals equitably and fairly. The most ethical City business practice regarding all purchasing activities is to ensure that all actions are fair and equitable and provide the City with the optimum of quality, value and cost-savings. The Charter & Procurement Codes address employee contractual processes and procedures. Deliberately trying to steer business to a particular company or firm is grounds for termination.

Example: A city department has previously done business with a regional screen printer for a variety of clothing needs. The department is looking at sponsoring a larger event that would necessitate ordering enough screen printed items to exceed the \$2,000 threshold triggering the need for three quotes. The employee approaches three screen printing vendors -- the

wholesale vendor who had done business with the City in the past, and two retail vendors, to generate quotes. The wholesaler submits the lowest bid. This action is unethical because of the different pricing mechanisms offered by the wholesaler and the retailers. In this instance, the bidding process has been steered to favor the wholesale screen printer.

Example: The City has vacant property that an individual wants to buy. The potential buyer has access to a fix and repair service and offers the employee handling the transaction free assistance if the employee can ensure the transaction price is within a certain dollar range. The employee respectfully declines and informs the potential buyer the asking price for the land will be based on established appraisal values and city interests.

Policies and Procedures Manual, Chapter 12; Article VIII in the City Charter and Chapter 25 in the City Procurement Code

Drug Use

Drug use is defined as the use of any illegal drug at any time or the use of any legal drug that impairs an employee's ability to perform his/her job competently. Illegal drug use on the job is not acceptable and will lead to termination. Employees must report any legal drug use that may impair their ability to perform their job to the supervisor. Failure to do so can lead to serious consequences.

Example: An employee is taking a prescription anti-depressant drug that impairs his/her ability to drive. The employee did not inform the supervisor of the drug use before driving a city vehicle. The employee was in an accident and it was discovered that the employee had taken the prescribed drug one hour before driving the vehicle. The employee may not have been at fault in the accident. However, the city may be placed in a difficult position with regard to any liability claims as a result of the actions of this employee.

Policies and Procedures Manual, Chapter 7

Employee Records

Employee records are any information submitted to the Human Resources Department from the time an individual submits an application for employment to the end of that individual's employment with the City. Employees must accurately report and submit to Human Resources, accurate documents pertaining to education, training, medical/ insurance issues, previous work experience, and all other records. It is unethical, and in some cases illegal, to submit false documentation to Human Resources. Employee records are kept in seven different files. They are: the main personnel file, pay file, medical file, background file, disciplinary file, investigative file, and safety file. The only file available for public viewing is the main personnel file.

Example: An applicant applies for a job that requires a bachelor's degree from an accredited university or college. The application submitted states that a bachelor's degree was earned at

a particular university. After the applicant is hired, it is discovered that the employee was short 12 credits from obtaining the degree.

Example: An employee signs up for a half-day training course off-site and attends for 45 minutes, leaving at the first break. The employee runs errands, has a leisurely brunch and returns to the work site in the afternoon. The employee reports that training was completed.

These two examples demonstrate unethical behavior, which impacts the City's efforts to employ the most qualified people available for the position, as well as the City's efforts to improve employees' work skills.

Policies and Procedures Manual, Chapter 13

Favoritism

Favoritism is defined as providing preferred service or granting special concessions to one person or business over another. All customers, both internal and external, will be treated fairly and with equity. If some customers are served before others, it is because it is based on an urgency/greatest need standard established by individual service functions. Otherwise, customer service requests will be handled in chronological order, providing thorough responses to each person's inquiries and requests, so that the appearance of favoritism is eliminated.

Example: Two people apply for the same job and will be interviewing for the position the next day. An employee happens to know one of the two applicants and calls this person up to offer information about the position, the way the department works, as well as other information that gives this particular applicant an edge over the other.

This example demonstrates unethical behavior, which affects the City's ability to treat applicants fairly and to employ the most qualified applicant for the position.

Reflected in various city policies that address procurement, employment, and customer service

Financial Responsibility

Employees will use City purchasing authority/credit cards for City business only. Employees will not exert pressure to borrow money from other City employees, supervisors, or subordinates.

Example: A City employee makes a purchase at Home Depot for city materials using the City credit card. The employee also purchases a personal item with the credit card within the same transaction. The employee writes a check to reimburse the City a week later before the City receives the billing statement.

It is never acceptable to use to use the City credit card for transactions that are not City-related. Such actions will lead to discipline by the City, up to termination from employment.

Fraternization

Fraternization is defined as an intimate, sexual relationship between employees.

Fraternization among supervisors and managers with employees from the same department is not permitted. Sexual liaisons between employees are absolutely forbidden while on duty and will lead to termination whether they occur on city property or not.

Example: Two employees from separate departments who both report to work at 8:00 a.m. meet during the lunch hour at one of the employee's homes and extend their liaison for two and one half hours. They return to work and leave at 5:00 p.m. giving themselves credit for an eight-hour work day.

Problems can and do arise in the workplace when employees have intimate, sexual relationships with other employees. Potential problems include conflict of interest, reduced productivity, and potential charges of sexual harassment. Sexual encounters while "on the clock" will not be tolerated.

Policies and Procedures Manual, Chapter 15

Future Employment

City employees applying for positions with companies that do business with the City are vulnerable to offers of future employment in exchange for favors and/or information obtained through the employee's position. Employees must disclose possible future employment with companies doing business with the City to the Ethics Standards Committee within three business days after a job interview takes place. In addition, an employee will be expected to sign a confidentiality statement limiting the disclosure of City information with any company that is involved in potential business with the City for one year.

Example: A City employee leaves to take a position with a private corporation that does development business with the City of Avondale. Privately-held City information that is not part of the public record, such as potential land purchases or targeted amounts for future capital improvement projects, could be used to the advantage of the employee's new employer when making bids for specific projects. Ethically, that employee should not be the representative for the company in work with the City until one year has passed.

Policies and Procedures Manual, Chapter 8

Gifts and Gratuities

Employees should always decline any gift, regardless of value, for themselves or their families if it appears to, or is intended to influence decisions they make for the City of Avondale. Employees should immediately tell their supervisor or a manager if they become

involved in a situation which might cause a conflict or even the appearance of a conflict. Employees should never accept, for themselves or their families, any favors or special benefits that might be perceived as influencing the performance of their governmental duties. When the employee has lunch with a vendor, the employee should pay for his or her own meal.

Example: A resident wants to purchase property from the City and offers the employee handling the transaction gardening services for the employee's home as a token of appreciation. The employee must refuse the offer.

Policies and Procedures Manual, Chapter 12 A. Solicitation; B. Conflict of Interest; City Charter, Chapter 25; Procurement Code

Grievance

A grievance is defined as any dispute regarding the meaning, interpretation, or alleged violation of the policies and procedures. It is unethical to treat any employee unfairly while that employee is going through a grievance process. The grievance process is established to enable employees to continue to interact in a professional, ethically-driven customer service approach while the grievance process works its way to conclusion. Unethical treatment of an employee in the grievance process will be grounds for discipline.

Policies and Procedures Manual, Chapter 19

Illegal Activity

All employees will be expected to engage in activities that are lawful. Employees must uphold the constitution, laws and legal regulations of the United States, the State of Arizona, the City of Avondale, and other legally incorporated governments. Misdemeanors and felonies committed by employees will be examined on a case-by-case basis and may be cause for action by the City against the employee. Illegal actions performed on the job will lead to termination.

Example: An employee driving a city vehicle is involved in an accident and leaves the scene of the accident. This behavior is illegal. All accidents involving city vehicles, or personal vehicles while on City business, must be reported to the Police Department, Risk Management and your supervisor.

Inappropriate Use of City E-mail System and Internet

Employees will not use the City's computer system and associated software and hardware for personal profit or personal use not related to work assigned. Use of the city's property to carry out activities that lead to personal profit or reduce the employee's productivity on the job is considered a misuse of city funds and equipment and is not acceptable. Examples of such use include surfing the Internet for pornographic materials, financial and stock market information for personal investment purposes, personal banking, on-line auction

participation, fantasy sports leagues, chain letters of any type, and other uses not pertinent to one's employment duties.

Example: An employee receives a message from a friend with a sexually oriented cartoon attached. The employee forwards the cartoon to several other employees. This is a violation of City policy and will result in disciplinary action, potentially including termination.

Policies and Procedures Manual, Chapter 19

Nepotism

Nepotism is defined as the paid employment of family members, friends, or associates in positions with the City, whether the positions are temporary or permanent, without a proper posting of an open position and a review of qualifications by Human Resources, or the competitive bid process if contracting for services. Although the Policies and Procedures Manual defines "family" as immediate members; an ethical definition of family should include those family members that have a reasonably close relationship with the hiring supervisor that leads to preferential hiring treatment.

Wherever possible, hiring should be an open, competitive process to ensure that the best qualified person available at the time is hired by the City to fulfill the temporary or permanent vacant position. This eliminates nepotism and favoritism when hiring. Policies and Procedures Manual, Chapter 8 addresses situations when relatives are hired or a marriage takes place that creates a potential ethical conflict.

Example: A temporary administrative position opens within the City and the department hires directly a family member of one of the employees without posting the position or going through a temporary help service. This action constitutes a violation of city policy.

Policies and Procedures Manual, Chapter 8

Open Meetings and Public Records

State law requires that meetings of public bodies be open to the public and that public records be available for inspection. Quick response to open meeting or records requests is important. Internal work groups consisting of employees and others are not subject to open meeting laws unless public input is requested at the work group meeting. All public meetings must have an agenda produced and posted twenty-four hours in advance. As a matter of good management practices, all internal meetings should have an accompanying agenda.

Example: Internal meetings with a developer to review plans with city staff are not considered a public meeting. Once staff and the planner come to agreement to the plans and proposed stipulations made by the City, the entire project is brought forward for public comment through the Planning and Zoning Commission or a Council agenda item. It is at this time that public concerns with a project can be publicly addressed.

Outside Employment

Outside employment is allowed, provided that a.) there is not a conflict of interest, b.) the job does not interfere with the time and attention an employee must devote to the City job, and c.) City equipment or use of proprietary information will not be involved.

Employees must notify their immediate supervisor of their intent to engage in outside employment. Supervisors who have questions regarding possible conflicts with an employee's outside employment should contact the Human Resources department. Employees are not to engage in outside work if they are not working due to any disability status in their City employment. City obligations take precedence over outside employment requirements at all times.

Example: An employee works for a local retail store on weekends. During the Holiday season the store Manager requires the employee to come in to work on Mondays and Wednesdays at noon. The employee asks for a revision in her City work schedule. The supervisor, after speaking with Human Resources, informs the employee that she must continue to work her regular work schedule. The employee must give precedence to her City job and should inform the store Manager that she cannot work the additional days.

Policies and Procedures Manual, Chapter 8

Personal Conduct

Employees are expected to conduct themselves at all times in a manner that brings credit to the City. This includes:

- Providing a full day's work for a full day's pay and performing those duties to the employee's best efforts.
- Providing all employees, stakeholders, residents, and others doing business with the City with **Empathetic, Thoughtful, Honest, Intelligent, and Caring Service**.
- Working with all parties in a professional and equitable manner. Employees shall not discriminate in any way on the basis of race, color, religion, sex, age, national origin, veteran status, handicap, marital status, disability, sexual orientation, or any other bias.
- Dressing appropriately for the position hired.
- Demonstrating common sense, professionalism, productive effort that promotes public acceptance for city employee and organizational effort.
- Participating in off-duty activities that will not result in publicity that harms the City.

Example: An employee is assigned to visit a local retail store to purchase supplies for a City event. While paying for the merchandise the employee notices that the clerk has overcharged for the purchase. The employee becomes very agitated and starts screaming at the clerk, saying "I work for the City of Avondale and I don't have to put up with this horrible service". The employee goes on to swear at the clerk. This behavior is inappropriate and brings discredit to the City.

Policies and Procedures Manual, Chapter 9

Political Involvement in the Community

Employees are encouraged to exercise the right to be active members of the community at large in such a manner that is lawful and ethical. An employee's involvement in the community shall be positive and reflect well on the City. Participating in City Council campaigns is strictly prohibited by the City Charter. Political activity at any other level of government shall comply with the applicable laws that govern that activity.

Example: A local city council candidate asks an employee to help place election signs at various corners and vacant lots in the City to publicize the candidate's re-election campaign. The employee declines and immediately reports the incident to the City Manager. This could be considered an election violation with possible consequences faced by the candidate.

Policies and Procedures Manual, Chapter 12

Productive Work Effort

Employees are expected to perform assigned work effectively and efficiently. Deliberate misuse of time and not accounting for that time properly is an unethical acceptance of compensation from the City. Leave is provided in order for employees to ethically account for time periods when work cannot be performed to meet the weekly compensation for work performed.

Example: An employee works at a desk from 8:00 a.m. – 5:00 p.m. in an office. After taking a full lunch, the employee shuts the door and takes a nap for 45 minutes. The employee leaves at 5:00 p.m. and claims a full day of work. Sleeping on the job is not considered productive work.

Policies and Procedures Chapter 5

Rumors and Gossip

A rumor is defined as a circulated story, report, or statement without facts to confirm its truth. Gossip is defined as conversation about personal or intimate rumors or facts, especially when malicious. Rumors and gossip are not accepted in the workplace.

Example: Disciplinary actions, including terminations, and the reasons why an action was taken are not discussed by Human Resources personnel or the responsible supervisors to ensure the confidentiality of the affected employee is maintained. Initiating or spreading rumors creates an unhealthy work environment. Gossiping about a fellow employee is disrespectful and unprofessional, as well as a waste of City time. Repeated incidences of such behavior will result in disciplinary action.

Sick Leave

Sick leave is an approved period of absence granted to an employee due to:

- Illness, injury, or other medical condition which renders the employee unable to fulfill his or her duties.
- Illness, injury, medical condition evaluation or procedure, or treatment for a medical condition for a member of the employee's immediate family, defined as parent, sibling, in-law, grandparent, or legal dependent.

Improper reporting of sick leave is not allowed and could lead to disciplinary measures, including termination. Frequent use of sick leave may lead to the City requesting medical verification for illness as described in the policies and procedures. Sick leave is an employee benefit that involves compensating employees monetarily for missed work days -- either by a) ensuring that compensation continues for the duration of sick leave or b) if unclaimed, a reimbursement of sick leave for monetary gain for the employee at the time of retirement based upon the number of hours sick leave accumulated and the number of years a person has worked for the City.

Example: An employee calls in sick for the day and goes out golfing instead. This is an improper use of City time.

Policies and Procedures Manual, Chapter 6

Undue Influence on Subordinates

Supervisors and managers are expected to engage in the highest level of professional behavior when dealing with employees whom they supervise. Favored treatment due to personal friendships will not be tolerated. Supervisors should not exert verbal or non-verbal pressure on subordinates to grant personal favors and complete requested work while off duty, nor should they request monetary favors or contributions.

Example: A supervisor requests that his subordinate helps with a charity event during a Saturday night. The supervisor hints that it may lead to a favorable performance review, and implies that not helping will lead to an unfavorable review. This action needs to be reported to the Ethics Standards Committee.

Policies and Procedures Manual, Chapter 9

Use of City Equipment

Employees will only use City-owned equipment for City-related work. City equipment is not available for personal/private use by employees. Employees will be fully trained in the use of all City equipment that pertains both directly and indirectly to the performance of their duties.

Example: Landscaping tools are used by a grounds employee to landscape his own home over the weekend. This is unethical and improper use of city equipment for personal benefit. Disciplinary action will be taken against the employee.

Policies and Procedures Manual, Chapter 10

Use of City Logo

Use of the City logo or name is for City purposes only. Clothing bearing the City of Avondale name or logo shall be worn only for official City purposes or business and shall not be worn while consuming alcoholic beverages.

Example: A group of employees forms a softball team and finds a sponsor to support the team's purchases for softball, bats, and T-shirts. The sponsor requests a letter of request on City letterhead to send it to its corporate offices to honor the request. The team captain explains to the sponsor that this team does not represent the City of Avondale. He drafts the letter instead on plain paper to distinguish this activity from official city business.

Policies and Procedures Manual, Chapter 10

“THE ETHICS TEST”

When you face a situation that causes YOU to question your ethical conduct, ask yourself these questions:

- How does this situation make me feel about myself?
- How would my family react to knowing about this and my role/decision?
- Would it pass the “headline test?” How would the community react?
- How does the decision and my proposed action align with the City’s mission and values?
- Will it violate a law or a City policy?
- Is my action or potential outcome/solution balanced? Will it be fair to all concerned?
- How will this affect other decisions I may be called upon to make in the future?
- Could I disclose, without reservations, my decision or action to my family, my peers, my superiors, or the community?

When you observe a situation or the actions of OTHERS that cause you to question their conduct, ask yourself these questions:

- Have I defined the ethical question/problem accurately?
- How would I define it if I stood on the other side of the fence or if I placed myself in the other’s situation?
- Can I discuss this with the affected parties before I bring it to the attention of my supervisor?
- What is my intent in making the decision to alert my supervisor?
- What result or outcome do I expect to achieve to resolve the problem?
- How do these results compare with my intent in bring this to the attention of my supervisor?
- Could my decision or action unfairly injure someone or something?

WHERE TO GO FOR HELP

If an employee is unsure of what the “right thing to do” is, he/she should first seek the guidance of the supervisor to determine the right course of action. If an employee determines that ethical guidance will be compromised by seeking out his or her supervisor or department director, employees may contact the Human Resources department or the Ethics Standard Committee for advice and direction. The Ethics Standards Committee shall include the following members as appointed by the City Manager:

- Human Resources Director, (Committee Chair)
- Assistant City Manager
- Finance and Budget Director
- Two members at-large

If ethical guidance is sought, the Ethics Standards Committee shall recommend a course of action for the individual(s) making an inquiry. All decisions shall be forwarded to the City Manager for final approval. Decisions made by the Ethics Standards Committee and approved by the City Manager shall be recorded and shall be used as a guide when determining future cases.

Employees wishing to discuss and/or report unethical behavior/problems or issues are encouraged to contact the Human Resources Department. An employee may request his or her supervisor present the issue on the employee’s behalf. **Issues that are reported from an anonymous source will not be accepted for review.** To the extent possible, information provided will be held in the strictest of confidence.

The City of Avondale is committed to ethically-driven customer service. Contact the Human Resources Department (623-333-2200) if you wish to initiate a report.