

**POLICY STATEMENT**

City employees are part of an important public institution. As such, they have a special responsibility to the community, as well as legal and ethical obligations ensuing from government service.

These responsibilities impose duties inherent in public service, including the promotion and protection of public trust and confidence, avoidance of conflicts of interest and appearances of impropriety, as well as careful and informed management of public finances. These duties must at all time guide the conduct of all employees who are employed by the City.

**GUIDELINES**

1. *Conflict of Interest*

A 'conflict of interest' refers to situations in which private interests or personal considerations may compromise an employee's judgment and his or her responsibility to act in the best interest of the City. It includes using an employee's position, confidential information, or City time, material, or facilities, for private gain or advancement.

A conflict also may occur when an interest benefits any member of an employee's family, friends or business associates.

For purposes of this policy, 'family member' includes relatives of the employee, including domestic partner and in-law.

2. *Requirement to Report Conflict of Interest*

If employees or their family members, friends or business associates have a personal or financial interest that might present a conflict of interest or bias in connection with their duties as City employees, they must report the conflict in writing to their Department Director, or the Human Resources Director. A copy of the memorandum will be forwarded to the City Manager.

If an employee alleges wrongdoing on the part of the City or its Council members, he/she should report this in writing directly to the City Manager or City Attorney.

Any employee faced with an **ethical uncertainty** is encouraged to seek advice and direction from his or her Department Director, the Human Resources Director, or the City Attorney's Office.

3. **Gifts**

Employees may not accept gifts, money, discounts or favors including a benefit to family members, friends or business associates for doing work that the City pays them to do. The exceptions to this are promotional gifts (e.g., coffee mug or letter opener with the company logo on it) or those of nominal value (i.e., does not exceed \$100 per person on a single occasion and is not greater than \$250 in any one calendar year.)

4. **Confidential  
Information**

Employees may not disclose confidential or privileged information that is exempt from disclosure under Oregon Public Record laws - ORS 192.410 to 192.505. Some examples of specific exemptions are:

- Personal Safety Exemption - ORS 192.445(1): If an individual requests in writing that a public body not disclose the phone number or address of the individual, the public body is prohibited from disclosing the information if the safety of the individual or family member would be in danger.
- Public Records Relating to Pending Litigation – ORS 192.501(1): If a public body is involved in litigation, or if litigation is reasonably likely in the future, the public records relating to the litigation are exempt from disclosure.
- Personnel Discipline Actions – ORS 192.501(2): Public records of a discipline action or materials or documents supporting that action are exempt from disclosure.

- Personal Privacy Exemption – ORS 192.505(2): Information of a personal nature, such as that kept in a medical or personal file, is exempt from disclosure if disclosure would be an unreasonable invasion of privacy, unless disclosure is in the public interest by clear and convincing evidence. Personal information includes home address, phone number, weight and age.
- Public Employee Addresses, Dates of Birth and Telephone Numbers – ORS 192.502(3): The addresses, dates of birth and phone numbers of public employees and volunteers which are maintained by the public body in personnel files are exempt from disclosure.
- Confidential Information Submitted by Citizens – ORS.192.502(4): Information submitted to a public body in confidence and not required to be submitted, where the information should reasonably be considered confidential, and the public body has in good faith obliged itself to keep the information confidential, is exempt from disclosure.
- Records Deemed Confidential or Privileged under federal or state laws or regulations – ORS 192.502(8) & (9): Communications between the Office of the City Attorney and a City Department or staff person are deemed to be privileged and confidential and are exempt from disclosure.

The policy against giving out confidential information does not apply to an employee who alleges wrongdoing on the part of the City or its Council members, officers, employees, agents or contractors – as long as the disclosure of this information is not frivolous or slanderous; the disclosure serves the public interest; and the disclosure is made in line with the provisions of this policy.

5. *Outside Employment  
or Business Activities*

Employees may not engage in outside work or business activity that conflicts, in the City's opinion, with their duties as City employees or interferes with his/her assigned City job.

Examples include, but are not limited to, outside employment or business activities which:

- Runs contrary to the central mission of the organization, and damages the City's reputation with the general public;
- Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
- Utilizes City telephones, computers, supplies, or any other resources, facilities or equipment;
- Might induce or require an employee to disclose confidential information acquired by reason of employment with the City; or
- Provides compensation that could reasonably be expected to impair an employee's independence of judgment in the performance of the employee's official City duties.

Regular full-time employment with the City is primary employment of City employees. An employee who chooses to have an additional job, contractual commitment or self-employment, may do so provided he/she obtains prior approval from his/her department head.

Employees who believe they may be in violation of this policy should disclose the possibility to their Department Director or Human Resources Director.

Any employee engaged in outside employment which conflicts with the requirements of this policy may be required to resign from such outside employment or be terminated, if the employee refuses to resign.

**6. *Use of City Property***

Use of City property is limited to the conduct of official business and uses that are allowed to the general public.

**7. Internet, E-Mail and Voice Mail**

Internet access, e-mail and voice mail are provided for business use. Incidental and appropriate personal use is permissible. If personal use results in additional fee or charge to the City, the user should reimburse the City for this additional cost.

**8. Financial Interests in City Transaction**

Employees who knowingly have financial interests in a City contract, sale or other business transaction, or have family members, friends or business associates with such interests, must disclose this interest and not participate in the decision-making process regarding this transaction.

**9. Public Speech**

The City respects the rights of employees for personal self-expression. However, employees who identify themselves as City employees in public communications must make it clear that the views expressed are their own and do not necessarily reflect the views of the City.

**10. Related Information**

- > Personnel Policy No. 1-6: Appropriate Workplace Conduct
- > Personnel Policy No. 2-3: Selection
- > ORS 244.040, Government Standards and Practices
- > ORS 192.502 Public Records Law

Approved by: \_\_\_\_\_  
City Manager HR Director

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