

CITY OF KENT
POLICY

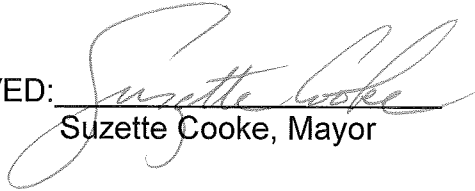
NUMBER: 2.09

EFFECTIVE DATE: August 1, 2015

SUBJECT: CODE OF ETHICS

SUPERSEDES: January 1, 1998

APPROVED:


Suzette Cooke, Mayor

POLICY:

The purpose of this policy is to establish guidelines for ethical standards of conduct which shall govern City employees in the performance of their duties. This policy is intended to provide positive direction to City employees to assure professional, ethical conduct and the absence of conflicts of interest.

2.09.1 DEFINITIONS:

For purposes of this policy the following definitions shall apply:

- A. Employee: any individual in a position of employment by the City as defined by the City's Personnel Policy 1.1.1 - Regular Employee and 1.1.2 - Temporary Employee Definitions; or any volunteer.
- B. City resources: any person, money, or property under an employee's control or direction or in the employee's custody by reason of his or her official position with the City.
- C. Contract: any contract, sale, lease or purchase.
- D. Contracting party: any person, partnership, association, cooperative, corporation, or other business entity which is a party to a contract with the City.

2.09.2 USE OF CITY RESOURCES:

- A. On-site: No employee may use, request the use of, or permit the use of City resources for personal or private benefit or gain. However, an employee may make occasional but limited use of City resources for his or her private benefit if one of the following conditions apply:
 - 1. There is no actual cost to the City or if the actual cost is so small as to be insignificant or negligible; and the use of City resources does not interfere with the performance of the employee's official duties.

Example: Employee may make a local personal phone call using a City telephone during the employee's break time.

Example: Employee may post a notice to sell a used car on the employees bulletin board with his or her home phone number for inquiries.

2. While there may be minimal cost or interference, the City finds that there is benefit to the public in addition to the private benefit to the employee and the use is pre-authorized by the appropriate supervising authority. A public benefit may be direct or indirect, such as improving employee morale or activities that improve the work related job skills of an employee.

Example: Employee may use a City computer after work hours to type a school paper when the City has determined that the class will enhance the employee's job skills and the use of the computer is pre-authorized.

Example: Employee may spend time performing non-profit community service for a civic organization if such use of City time is pre-approved by the employee's supervising authority.

- B. Off-site: No employee may make private use of any City property which has been removed from City facilities or other official duty station even if there is no cost to the City unless the purpose of such use is pre-authorized by the employee's department director or designee. In determining whether such private use should be approved, department directors or designees should consider the conditions in (A) above.

Example: Employee may take a laptop computer home to type a school paper if the City has determined that the class will enhance the employee's job skills and the use of the laptop is pre-authorized.

- C. Political Activities: No employee may use or authorize the use of City resources for the purpose of participating in or assisting a campaign for election of a person to an office or for the promotion or opposition to a ballot proposition.

2.09.3 PROHIBITED CONDUCT:

No employee shall engage in any act which is in conflict with the performance of official duties. Examples of prohibited acts which may pose a conflict of interest include:

A. Interest in Contracts:

1. No employee shall participate in or influence the making of a contract involving the City in which the employee has a direct or indirect private benefit or monetary interest.
2. No employee shall have any direct or indirect private interest in any contract involving the City which may be made by reason of the employee's position

with the City. Provided, this section shall not apply to employees whose interest in a contract is deemed to be remote and the fact and extent of such "remote interest" (as defined by RCW 42.23.040) is disclosed in writing to the Mayor or designee prior to the formation of the contract.

3. No employee shall receive any compensation, gratuity or reward in connection with any contract with the City from the contracting party or any other person beneficially interested therein. Provided, this section shall not apply to employees whose interest in a contract is deemed to be remote and the fact and extent of such "remote interest" (as defined by RCW 42.23.040) is disclosed in writing to the Mayor or designee prior to the formation of the contract.
- B. Interest in Legislation: No employee shall have any private interest in any legislation pending before the City Council and participate, discuss, or give an official opinion to the City Council, unless the nature and extent of such interest is disclosed, on official record, to the Council.
- C. Receipt of Gifts or Favors: No employee shall solicit or receive any favor including, but not limited to, retainer, gift, loan, entertainment, or other thing of monetary or non-monetary value, if such favor was solicited, received or given with the intent to give or obtain special consideration or influence as to any job-related action by the employee. Provided, this section shall not apply to any one of the following:
1. Attendance at a hosted meal provided in conjunction with a meeting, seminar, conference, etc. which relates directly to City business, or which is attended as a staff representative.
 2. An occasional unsolicited, non-monetary gift which has minimal value when such gift is offered without obligation or the appearance of obligation.
 3. An award publicly presented in recognition of public service.
 4. Any gift which would have been offered or given to the employee regardless of City employment.
- D. Outside Employment: No employee shall engage in, accept private employment or render services for a private interest when such employment or service is incompatible or appears to be incompatible with the proper discharge of the employee's official duties with the City.
- E. Confidential Information: No employee shall disclose or use any information gained by reason of employment for the immediate or anticipated, direct or indirect, benefit

of the employee or any other party or person. Provided, nothing shall prohibit the disclosure or use of information which is a matter of public information.

- F. Representation of Private Interest: No employee shall appear on behalf of any other private person or business before any regulatory governmental agency or court of law in an action or proceeding adverse to the City. This section shall not apply to any proceeding in which the employee is a witness under subpoena, or in which the employee has a personal interest which is disclosed in writing to the Mayor or designee. This policy does not prohibit any employee from actions taken pursuant to state and federal whistle blower legislation.

2.09.4 POLICY COMPLIANCE:

The City of Kent requires all employees to conduct themselves in a professional and ethical manner and to use good judgment in the performance of official duties. Questions of interpretations of this policy or ethical conduct shall be forwarded to the employee's supervisor, manager and department director, then to the Director of Operations for clarification.

Any violations of this policy may be subject to disciplinary action as set forth in the City's Employee Discipline Policy.