

CHAPTER 6 EMPLOYEE CONDUCT

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6-1 Ethics

City employees shall comply with the Utah Public Officers' and Employees' Ethics Act, Title 67, Chapter 16, Utah Code Annotated, and the Utah Municipal Officers' and Employees' Ethics Act, Title 10, Chapter 3, Part 13, and their successor statutes, to avoid actual or potential conflicts of interest between their public duties and their private interests.

6-2 Receipt and Reporting of Gifts

City employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan, or any item of monetary value over \$50 from any person seeking to obtain business with the City, or from any person within or outside City employment whose interests may be affected by the employee's performance or nonperformance of official duties. All gifts of any kind must be reported to department head.

6-3 Information - Conflict of Interest

City employees who are involved with or have access to information of significant public interest may not use this information for personal gain, nor to benefit friends or acquaintances. If an employee has an outside interest which could be affected by any City plan or activity, this situation must be reported to the employee's supervisor immediately. Each employee is charged with the responsibility of ensuring that only information that should be made available to the general public is released. Violation of these provisions regarding information or use for private gain shall be cause for disciplinary action up to and including termination.

6-4 Political Activity

The following restrictions apply to City employees: (1) An employee may not use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office. (2) An employee may not directly or indirectly coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes. (3) An employee may not use City work time to campaign for political office or otherwise engage in political activity.

6-5 Use of City Electronic Mail, Voicemail, the Internet, Phone and Computer Systems

Inappropriate use of electronic mail, voicemail, the Internet, phone and computer systems includes, but is not limited to: harassment and intimidation of individuals on the basis of race, sex, religion, ethnicity, sexual orientation or disability; any pornographic or sexually explicit material, pictures or images; profanity, obscenity, and sexually explicit language; threats of violence; allowing use to interfere with normal work duties; and any violation of local, state or federal laws. Employees found inappropriately using city electronic equipment may be subject to disciplinary action up to and including termination.

E-mail and voice mail communication and the contents of City owned computers and phones are the sole property of the City and may be subject to monitoring at any time without notice. When using the e-mail or voice mail systems, and other equipment including City computers and phones, the employee knowingly and voluntarily consents to being monitored and acknowledges the employer's right to conduct such monitoring. The security of e-mail and voice mail communications is not guaranteed. Abuse of e-mail, voice mail, computer systems and phones could subject the employee to disciplinary action, up to and including termination.

Unacceptable Use of E-Mail. The use of e-mail to send pornographic, sexually harassing, obscene messages and materials, or those with sexual content is prohibited. The City's sexual harassment policy shall apply to the use of obscene e-mails and materials, and those with sexual content. The use of City computer resources to intentionally view, download or send pornography, sexually explicit materials or materials with sexual content is prohibited.

The use of e-mail to send discriminatory, disparaging or harassing messages or materials based on race, color, religion, sex, pregnancy, gender, national origin, age or disability is prohibited. The City's anti-discrimination policies shall apply to the use of such e-mails and materials.

Electronic dissemination or printing of copyrighted materials, including articles and software, in violation of copyright laws is prohibited.

These rules apply to City-owned phones and computer use during work hours and outside work hours.

Transmission of Proprietary or Confidential Information. The unauthorized transmissions of proprietary or confidential information to unauthorized persons or entities by e-mail, or any other means, is prohibited.

In City E-Mail Advertising. E-mail sent within the City may not be used for personal business purposes or fund-raisers not approved by the Mayor and City Council.

Outside Business Endeavors. Use of City computers, computer resources, phones, e-mail or other resources for the employee's outside business endeavors is prohibited. Under no circumstances may any employee use City computers, phones, computer resources, e-mail or other resources to run, support or operate a personal business.

E-Mail Retention.

The purpose of the e-mail retention policy is to ensure that e-mail and electronic documents are maintained in accordance with the Utah Government Records Access and Management Act (GRAMA). Employees are reminded that electronic documents and e-mail created or received on City-owned computers or sent over City-run networks are the property of the City. Employees should have no expectation of e-mail privacy and should limit any personal use of e-mail.

E-mail and other electronic documents that must be saved should be printed and retained according to GRAMA guidelines.

E-mail Retention and Deletion Policy. To ensure that important information is not lost because of improper deletion or management of e-mail correspondence, Plain City employees are directed to adhere to the following e-mail use guidelines.

Broadly speaking, e-mails fall into three main categories: 1) those that may be deleted; 2) those that must be saved for future reference or public/media access; and 3) confidential information.

E-mail that must be saved. Program, policy, or decision-making correspondence. Business-related messages that provide substantive information about City functions, policies, procedures, or programs must be saved. These e-mails document the discussions and decisions made regarding City interests.

Confidential information. Generally speaking, confidential information should not be transmitted electronically.

E-mail that may be deleted. All e-mail not falling into the above categories may be deleted when the user's need for the e-mail has expired. Examples of e-mail messages that do not need to be saved are:

- Personal e-mail
- Meeting agendas, broad e-mail announcements, and e-mails on which you are cc'd, if you have no use for them.

Note: the sender and direct recipient of program, policy, or decision-making e-mail are responsible for retaining the document.

Attachment policy. You are required to keep a copy of any attachments you send (e.g., Word, Excel or Powerpoint files) if they fall under the category of 'E-mail that must be saved'.

Responsibility of the sender. Primary responsibility for retention of important e-mail rests with the sender.

Responsibility of the recipient. If you are the direct recipient (not cc'd) of e-mail containing policy, program or decision-making information, you must save the e-mail unless the sender has indicated to you that they have saved it.

Electronic Documents policy. All electronic documents produced by City employees are the property of the City and must not be deleted. All documents created in the course of City business that fall under the category of program, policy, or decision-making, should be printed and saved by the creator and retained according to GRAMA guidelines.

6-6 Public Relations

The measure of City government is, to some extent, based on the effectiveness and personal contact of its employees with the general public. It is expected that all employees will avoid conduct at work or elsewhere that might cause embarrassment to, or criticism of the City. Often times, the City employee is the only contact a private citizen has with our municipal government and, although the citizen may not always be right, he/she does have an active interest in the City and its government. Therefore, it is essential that the attitudes and actions of the employees of the City, both on and off duty, bring credit to the City. Good public relations can best be created by the simple process of being helpful, courteous and treating people in the same manner you would like to be treated. It is also important to the public relations of the City that each municipal employee be neat, clean, impressive in appearance and respectable in his/her use of language.

6-7 Dress and Hygiene Standard

City employees are expected to have socially acceptable personal hygiene and grooming and to dress in professional, modest attire which is appropriate to the job they are performing.

6-8 Outside Employment

All employees will annually complete an outside employment/conflict of interest statement. (**See Exhibit 6A – Outside Employment & Conflict of Interest Statement**). Upon notification of approval of the department head and the Mayor, a City employee may engage in outside employment. However, no employee may engage in additional employment which in any manner interferes with the proper and effective performance of official duties, or which results in a conflict of interest. City employees may be members of the Plain City Volunteer Fire Department if such membership does not interfere unduly with the normal duties of the employee and his or her department. To protect the concept of a “volunteer” fire department, and to prevent undue pressure on City supervisors, the Mayor may not approve employee memberships in the Fire Department which exceed ten percent (10%) of the combined fire department membership. If the Mayor, in consultation with the department head, determines that outside employment, including membership in the Plain City Volunteer Fire Department is disadvantageous to the City’s interests, upon notification in writing by the department head or the Mayor such outside employment shall be terminated.

City employees who are members of the Volunteer Fire Department who respond to fire calls while on City time shall be given the opportunity to use personal or vacation time for the time used while on the fire call, or to work added hours that day to make up the time at the discretion of his or her supervisor. If this is not possible or if the employee does not wish to use earned leave time, he or she shall be paid at the Fire Department rate of compensation for the time on the fire call and be counted as an approved absence from his regular work unit.