

CODE OF CONDUCT AND ETHICS POLICY

I. Purpose

This policy contains guidelines governing the general behavior and responsibilities expected of all City employees and City Council appointees (City Manager, City Auditor, Municipal Counselor and Municipal Judges). These responsibilities are based on the principle that good government needs to be honest, fair, accountable, and in compliance with all applicable laws and regulations. The citizens of Oklahoma City have entrusted all City employees and City Council appointees with responsibility for managing and safeguarding public funds and assets. Integrity, forthrightness, and honesty sustain public confidence in government.

II. Statement of Policy

It is the policy of the City of Oklahoma City that the highest standards of ethical conduct are required of all City employees and City Council appointees. City employees must conduct themselves in an ethical and proper manner, in accordance with the City's Core Values and Code of Conduct, and in full compliance with all laws and regulations. Employees must not engage in any conduct or activity that may raise questions concerning the honesty, integrity and impartiality of the City or otherwise cause embarrassment to the City. Every City employee and City Council appointee has the responsibility to seek guidance and promptly report any suspected illegal or unethical conduct to a supervisor or manager, the Department Director, the Personnel Department, the City Manager's Office or the City Auditor's Office. Retaliation against employees who come forward to raise genuine concerns will not be tolerated.

III. Core Values

On November 8, 2005, the following Core Values were adopted by the City Council. These Core Values serve as a framework for guiding how we want to interact with each other, the business community, other public/private sector entities, and most importantly, the citizens we serve.

We are the City of Oklahoma City.

Public Service is our purpose. It is why we are here.

We commit to provide competent, dependable and efficient service to all by knowing our jobs and our City.

We value dependability and accountability in our relationships.

We value tactful, useful, informative and honest communication among ourselves and with our community. Listening to the needs of others is a critical part of our communication process.

We honor diversity by respecting our customers and fellow employees.

We commit to continuous improvement and growth through visionary, proactive leadership and technology.

We set these standards of quality service by upholding our core values.

We are the City of Oklahoma City.

IV. Code of Ethics for Government Service

On January 23, 1979, the Mayor and City Council endorsed and adopted the Code of Ethics for Government Service as the official standard to guide the actions of all officers and employees of the City of Oklahoma City in their service to the public. The Code of Ethics for Government Service provides that any person in government service should:

- Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.
- Uphold the Constitution, laws, and legal regulations of the United States and all governments therein and never be a party to their evasion.
- Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.
- Seek to find and employ more efficient and economical ways of getting tasks accomplished.
- Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
- Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.
- Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of one's governmental duties.
- Never use any confidential information in the performance of governmental duties as a means for making private profit.
- Expose corruption wherever discovered.
- Uphold these principles, ever conscious that public office is a public trust.

V. Code of Conduct

Article 300 of the City of Oklahoma City Personnel Policies, available on insideOKC, sets forth the Code of Conduct for all City employees and City Council appointees. The City of Oklahoma City acknowledges that it is only through the commitment of all our employees and City Council appointees that we can deliver quality service and maintain public trust. As our most valued asset, City employees and City Council appointees must be above reproach in their professional dealings and must demonstrate the highest standards of behavior. Every City employee and City Council appointee is expected to be aware of, and comply with, the Code of Conduct.

Section 300 Solicitations

City employees shall not solicit for any purpose during working hours without authorization from the Department Director. Exceptions may be made by the Department Director for solicitations within the City organization to support the activities of non-profit, philanthropic organizations and/or purposes. The solicitations shall not be for personal benefit or gain of the employee.

What does this mean?

As a City employee, your time at work and the equipment and resources available to you, are considered City assets. As such, these City assets are to be used for the performance of your City duties or as approved by the Department Director or the City Manager's Office.

Why is this important?

The City cannot afford to waste time or other resources. We serve the citizens of the City of Oklahoma City and should be good stewards of public assets so that we may do our jobs properly.

Things to do.

- Respect City assets and take care of them.
- Use City assets only for City work.
- Do not use City assets including your work time to sell products or provide services for personal gain.
- Ask your supervisor if you are unsure.

Frequently Asked Questions.

Q Is it appropriate to sell merchandise for my child's school activity?

A This is acceptable, subject to approval by the Department Director or the City Manager's Office.

Q I am a sales consultant for a line of beauty products. Is it appropriate to sell these items at work?

A If you are making sales transactions while at work, this is not an acceptable use of your work time. If you are on your own time, you may engage in activities that do not interfere with your ability to perform your assigned duties or the duties of other employees.

Q I operate a business during my off-duty time. Can I use my City vehicle to make a sales call on a potential customer?

- A No. City assets should be used only for City business.
- Q My department is planning a fundraiser to support the Heart of the City Campaign. Is it appropriate to solicit vendors or businesses for donations to raffle for our fundraising event?
- A No. It is important that City operations be conducted in a fair and impartial manner in both fact and appearance. Soliciting vendors and businesses, even those not currently under contract with the City, could give the appearance that these donations are required to do business with the City.

Section 301 Secondary Employment

An employee shall not engage in any secondary employment or other activity which would compromise impartiality or independence of judgment in the performance of City job duties or create a conflict of interest. An employee is prohibited from engaging in any secondary employment that interferes with scheduled City work, or occurs when the employee is off work from City employment on administrative leave, sick leave, injury leave, FMLA leave, or is receiving temporary total disability benefits from the City under workers' compensation laws or the Management Temporary Disability Plan.

- (a) An employee must provide information regarding all secondary employment to the Department Director on a Secondary Employment Request/Notification form or similar type form prescribed by the City.
- (b) An employee serving as an independent contractor with another governmental entity must have a written contract or letter from the governmental entity as his/her evidence to support the independent contractor status. An employee must submit a copy of the written contract or letter from the governmental entity along with the employee's secondary employment request form when requesting approval for the secondary employment. (Article IV, Section 8 of the City Charter)
- (c) An employee working for the City of Oklahoma City may not also be employed by a public trust.

Violations may be grounds for disciplinary action, up to and including termination.

What does this mean?

You should not be employed with another employer that would pose a conflict of interest in fact or appearance with the conscientious performance of your City duties.

Why is this important?

During paid working hours with the City, your City duties are your priority. Engaging in secondary employment that conflicts or interferes with your ability to perform your City duties compromises your ability to uphold the Code of Ethics. The City does not want to prohibit an employee from engaging in secondary employment. However, there must be assurances that the employee is not engaged in a situation that would conflict with his/her City duties and responsibilities and that City resources are not being used to support personal or private business interests.

Things to do.

- Refuse all work from any employers that would create a conflict of interest with your City duties.
- Full-time City employees must refuse any full-time or part-time employment with another governmental entity.
- Discuss all secondary employment opportunities with the Department Director or the City Manager's Office in advance of accepting the second job to determine if it would create a conflict of interest.
- Provide information regarding all secondary employment to the Department Director or the City Manager's Office.
- If serving as an independent contractor with another governmental entity, get a written contract or letter from the governmental entity to support the independent contractor status.
- If serving as a consultant/expert witness, refuse outside payment for work on any contract/lawsuit in which the City is a party.

Frequently Asked Questions.

Q I'm a full-time City employee, can I teach a night course at a local state-funded university or college?

A Yes. The key is that the full-time City employee cannot be an employee of the state-funded university or college. As long as the City employee is an independent contractor with the state-funded university or college, then the relationship is acceptable.

Q I'm a part-time City employee, can I work full-time for a state agency?

A Yes, as a part-time employee you may work full-time or part-time for another governmental entity.

Q I am a full-time police officer with the City. Can I work event security for a City-related trust? If the trust is contracting with a company for security services can I work event security as an employee of the company?

- A Yes. You may perform the work as an independent contractor for the trust or as an employee of the security company with appropriate approval. (Refer to your departmental policies.). You may not perform the work as an employee of the trust.
- Q I am a full-time firefighter with the City. Can I volunteer as a firefighter with another municipality during my off time from the City of Oklahoma City?
- A Yes. As an unpaid volunteer, you are not considered to be an employee of another governmental entity.
- Q I'm a full-time City employee. Can I volunteer as a reserve deputy sheriff in a county sheriff's office?
- A No. As an unpaid volunteer, you are not considered to be an employee of another governmental entity. However, a reserve deputy sheriff is an Officer of the county if they have the power to serve warrants and/or make arrests. This violates Section 302 of the Personnel Policies relating to political activity. If you would like to volunteer as a reserve deputy sheriff, prior to volunteering, contact the Personnel Department at personnelquestions@okc.gov for an evaluation of whether the position constitutes an Officer of the county.
- Q I am a full-time City employee. Can I work part-time for the City in a summer Parks Department program?
- A No. As a City employee, you shall not be compensated for serving in more than one position in the City.
- Q I am a full-time City employee. I have been asked to testify as an expert on behalf of the Plaintiff in a lawsuit in which the City is a Defendant. I will be paid by the Plaintiff to serve as his expert. May I do this?
- A No. You should refuse this outside employment, as it would place you in a direct conflict with your City duties and responsibilities.
- Q I'm a full-time engineer for the City. Can I work part-time for an engineering firm that does work for the City?
- A Yes, if your City job does not involve contract or project oversight responsibilities relating to work performed by the firm and you do not perform work for the firm relating to City projects. Your Department Director or the City Manager's Office will decide whether the part-time work creates a conflict of interest.

Q I'm responsible for inspecting work performed by private contractors. Employees in my area often work part-time for contractors in this trade. My Department Director has asked employees to complete annual secondary employment disclosure statements. Do I have to complete this form?

A Yes. Some operational areas within the City may be more susceptible to potential conflicts of interest. Department Directors may feel it necessary to regularly remind employees of applicable policies and ask employees to confirm that all potential conflicts have been disclosed.

Section 302 Political Activity

Employees are encouraged to exercise their right to engage in political activities. No employee shall participate in political activities during working hours or while in a City uniform or vehicle, or while on City premises or otherwise identified as a City employee. Once off duty and not in a City uniform or vehicle, an employee is free to participate in political activities to the same extent as any citizen. An employee shall be subject to discipline up to and including immediate termination for violation of these provisions.

An employee may be a candidate for elective or public office, but shall not hold any elective or public office under the United States Government, the State of Oklahoma, or any other state or municipality (notaries public excepted). (Refer to Personnel Policies Section 1203.26 and Article IV of the City Charter and Oklahoma State Statute). City employment shall terminate upon taking oath of office.

No employee shall use or promise to use, directly or indirectly, an official authority or influence, whether possessed or anticipated, to secure, or attempt to secure, for any individual, an appointment or advantage in appointment to a position in the classified service, or any increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any individual.

What does this mean?

All employees have the right to take part in political activity and electioneering, but only on their own time and at their own expense and without using City equipment or uniforms or their job titles.

Why is this important?

As employees of a municipal government, we work in an environment that oftentimes is highly political. Opinions vary widely and could be a source of potential conflict. Political discussions make some people uncomfortable. In order to respect all opinions and beliefs, political activity is not allowed in the workplace.

Things to remember.

- Never post, solicit, distribute, wear, or otherwise display political material or messages at your work place.
- Never use City job titles, uniforms, equipment or other resources for political activity.
- Never raise or contribute funds to any campaign that aims to advance a person's or group's political interests during work hours or while at work.

Frequently Asked Questions.

Q As a City employee, can I run for a position on my local school board?

A Yes. However, if you are successful your City employment will terminate upon taking oath of office.

Q Can I participate in a non-political campaign for a position with the credit union, labor union, employee association, or retirement board at my work site?

A Yes, subject to the approval of your Department Director or the City Manager's Office and the Personnel Director.

Q Can I wear a badge with a political statement while I perform my City duties?

A No. Political propaganda is not permitted at your place of work.

Q My spouse is running for political office. Can I accept contributions to the campaign while I am at work?

A No. City employees are not permitted to raise or to contribute funds to political campaigns while at work.

Q Can I use the copier in my office to make copies of political campaign flyers?

A No.

Q Can I use a City vehicle to transport political campaign signs that I am putting up for a political candidate?

A No.

Q Can I wear a sticker to work that says, "I Voted," after voting in a local, state, or federal government election?

A Yes.

Section 303 Acceptance of Gifts or Favors

An employee shall not accept or solicit any gift or favor where the receipt would either compromise impartial performance or would be viewed by the public as compromising impartial performance. An employee shall document any gifts received and immediately notify their supervisor of same. Violation shall be grounds for disciplinary action up to and including termination. (Refer to Personnel Policies Sections 1203.22 and 1203.23; and Article IV, Section 12 of the City Charter)

In the event employees receive a gift of any kind, employees must notify their supervisor about receipt of the gift. Additionally, the employee(s) must document the type of gift received and how the gift will be disposed of, i.e., a tin of popcorn to be shared with the office staff. Department Directors and Division Managers are responsible for determining the appropriateness of the gift and its proper disposition. Examples of gifts that would be appropriate, provided the receipt would not compromise or be viewed as compromising the employees' impartial performance, are items with a nominal value (\$50 or less) that can be consumed, such as a meat/cheese or deli tray, a meal, a box of candy, a tin of popcorn, a fruit basket, etc. The proper disposition of these types of gifts would be the sharing of these items within the office. Examples of gifts that would be inappropriate to accept are gift certificates for merchandise from a City vendor or other retailer, vacation/travel packages, etc.

What does this mean?

Employees must not receive gifts in exchange for special consideration or favors.

Why is this important?

Although most gifts come with no strings attached, there is always the chance that something is expected or could be perceived to be expected in return.

Things to do.

- Refuse cash tips.
- Decline gifts that could be viewed as an exchange for a favor.
- Ask your supervisor if you are unsure.
- Always report gifts to your supervisor.
- Maintain a record of all gifts received and the estimated value.

Frequently Asked Questions.

Q The City is in the process of awarding a contract and I am involved in the decision process. One of the bidders has offered to take me to a sporting event. Can I accept the invitation?

A No. The perception is that the bidder could be given special consideration or favors in return for the ticket(s), transportation, food, etc.

Q I'm a collector in the Solid Waste Division. Some of the seniors on my route like to give me a cash tip at Christmas. I don't want to be impolite by rejecting this kind and sincere gesture. How should I respond? Can I accept the gifts?

A Politely explain that you appreciate the gesture but that the City already compensates you. It is unacceptable to accept cash, loans, free services or individual discounts but you may accept:

- Small Christmas gifts valued at \$50 or less (i.e. cards, cookies, chocolates, or anything that may be consumed).
- Advertising material valued at \$50 or less (i.e. calendars, scratch pads, disposable pens, t-shirts, caps).

Q Is it ok for a vendor to buy my lunch?

A Maybe. The circumstances and the relationship with the vendor at the time that the lunch is offered should be considered. If you are currently involved in a vendor selection process on behalf of the City wherein this vendor is competing for a City contract, then you should not allow the vendor to pay for your lunch. You should avoid the appearance or possible perception of a bias in favor of the vendor. If a vendor selection process is not underway, lunches should be limited to a reasonable number and value. Again, the possible perception of bias toward the vendor is key.

Q Is it ok for me to attend a training trip or a site visit at a vendor's expense?

A Maybe. Like the lunch situation above, you should avoid placing yourself in a position that could appear to be improper. However, if the training or site visit is included in the contract with the vendor and the trip was anticipated at the time the contract was advertised and awarded then the trip is appropriate.

Q I have an excellent working relationship with a contractor who regularly visits our office to obtain permits. The contractor has a \$100 restaurant gift card that will expire soon. The contractor explains that he will be unable to use the gift card and he would like for me to have the gift card before it goes to waste. May I accept the gift card?

A No. As with the solid waste example above, politely explain that you appreciate the gesture but you may not accept items with more than a nominal value (greater than \$50).

Q If I attend a conference and win a door prize that would be for personal benefit (i.e. television, stereo, cash prize, portable electronic, etc.) is it acceptable for me to accept and keep the door prize if my name is drawn?

A Yes.

Q If a vendor offers me an event ticket (football game, concert, etc.) and I am not involved in an RFP process or contemplating a procuring process, may I accept the ticket?

A Yes, if you pay the vendor for the face value of the ticket.

Section 304 Interest in City Contracts

An employee shall not:

- (a) directly enter into any contract with the City; or
- (b) directly sell goods to the City; or
- (c) have a “proprietary interest” in any company having a contract or subcontract for doing business with the City. Mutual funds or retirement funds invested in corporations but managed by a third party do not apply here; or
- (d) participate in any contract recommendations, decisions or administration relating to companies in which the spouse of an employee has a ‘proprietary interest’; or
- (e) An employee shall not be eligible to purchase directly, indirectly, or through public auction, any item placed on sale by the City unless the property is offered for sale to the public after notice of the sale has been published.

Violation of this section shall be grounds for disciplinary action up to and including termination. (Refer to Article IV, Section 11 of the City Charter).

What does this mean?

Employees and businesses in which an employee has a proprietary interest may not do business with the City. “Proprietary interest” is defined in Title 11, Chapter 1, Article VIII, Section 8-113 of Oklahoma State Statutes and is currently generally established as ownership of more than twenty-five percent (25%) of the business.

Wherever there is the potential for a conflict of interest, employees must remove themselves from the decision process. Award of City contracts, employment opportunities, land sales and disposal of surplus assets will be carried out impartially – without any advantage or favoritism to City employees or their

immediate family. Section 210 of the Personnel Policies defines immediate family member as spouse, son, daughter, father, mother, grandparents, grandchildren, brother/sister, uncle/aunt, nephew/niece, and step and/or in-law relations of the employee or the employee's spouse.

Why is this important?

All City business must be conducted fairly and impartially in fact and appearance to preserve the confidence and trust of our citizens.

The City of Oklahoma City is committed to protecting the revenues, property, information and all other assets from any attempt to gain financial or other benefits by deceit or favoritism.

Things to do.

- Disclose to your Department Director or the City Manager's Office any relationship you may have with persons or organizations doing business with the City. This includes relationships with persons or organizations proposing to do business with the City.
- Remove yourself from the decision process if you or your immediate family members are directly affected by the outcome.
- Disclose to your Department Director or the City Manager's Office and remove yourself from the decision process if you are able to influence the outcome of a purchasing decision from which you may benefit.
- Inform your Department Director of your intent to bid on any property declared surplus within your department.

Frequently Asked Questions.

Q My spouse owns a private business and is contemplating submitting a bid for a contract with the City. What should I do?

A You must disclose your relationship to your Department Director or the City Manager's Office at the beginning of the process. If you are able to evaluate the bid, influence the selection of the successful bidder or manage the bidder's performance, there is a potential conflict of interest. You should remove yourself from the decision-making process.

Q My two brothers and I equally own a company. Is it allowable for our company to bid on a City contract?

A No. Your one-third or 33% ownership of the business constitutes a "proprietary interest" as currently defined; therefore, your company may not do business with the City.

Q In my job, I drive a City pickup truck that is being declared surplus. Can I buy it?

A Yes, if the surplus property is offered for sale through public auction and two or more bids are received. You should inform your Department Director of your intent to bid on any property declared surplus within your department to avoid the appearance of a conflict of interest. Your Department Director will decide whether an employee bidding on surplus property creates a conflict of interest.

Q XYZ Corporation is a vendor doing business with the City. Is it acceptable for me to own stock in XYZ Corporation? Do I need to tell my Department Director or the City Manager's Office about my stock ownership?

A If you own less than 25% of XYZ's stock this situation would be allowable. However, as with any circumstance that could be reasonably perceived as a conflict of interest, you should make your Department Director or the City Manager's Office aware of the situation.

Section 305 Conflict of Interest

A conflict of interest is a real or perceived conflict between an employee's professional or official duties and an employee's other interests, or is a situation where one duty conflicts with another. Conflicts of interest may create an impairment of judgment or potential perception of the impairment of judgment.

All City employees are subject to conflict of interest policies establishing minimum standards for conduct of City employees who, in their official capacity, are or may become involved with contract, grants, purchase, sale, service or decisions that might affect their personal financial or otherwise private interests, whether direct or indirect, or those of their immediate family members, as defined in Section 210 of the Personnel Policies.

Any employee who has, or whose immediate family has, a direct or indirect substantial financial or otherwise private interest in any contract, grant, purchase, sale or service to the City or in any decision of the City, must make that interest known to their Department Director, or City Manager. Employees are prohibited from disclosing or using, without appropriate authorization, information designated as confidential by statute, rule or City practice that they obtained from the City as a result of their employment with the City.

Generally, employees shall not solicit or accept money, gratuities, favors, or goods of any modest monetary value from any current or potential vendor. However, in the event employees receive a gift of any kind, the employees' supervisor must be notified, and the value and type of gift must be documented. Department Directors and Division Heads are responsible for determining the appropriateness of the gift and its proper disposition. Examples of gifts that would be appropriate, provided the receipt would not compromise

or be viewed as compromising the employees' impartial performance, are items with a nominal value (\$50 or less) that can be consumed, such as a meat/cheese or deli tray, a meal, a box of candy, a tin of popcorn, or a fruit basket. The proper disposition of these types of gifts would be the sharing of these items within the office.

Employees of the City must be aware of, and identify on an ongoing basis, any circumstances in which the City's actions might affect their interests or the interests of their close relatives, and avoid situations in which a conflict of interest may arise. If an employee believes that she or he has or soon may have a conflict of interest in a specific matter that was not yet disclosed, or there could be a perception of a conflict of interest on the part of an employee, the employee must immediately withdraw from participation in all related activities and decisions related to that matter. The employee must notify the department of said conflict, explaining in detail the potential or existing conflict of interest and affirming that the employee has withdrawn from participation in the matter. Failure to appropriately disclose a conflict of interest situation may result in corrective and/or disciplinary action, up to and including termination.

What does this mean?

Employees should not be involved in activities where there is potential gain or benefit for themselves or their immediate family.

Why is this important?

All City business must be conducted fairly and impartially in fact and appearance to maintain the confidence and trust of our citizens.

Things to do.

- Disclose to your Department Director or the City Manager's Office any relationship you or your immediate family member may have with persons or organizations doing or proposing to do business with the City.
- Remove yourself from the situation and inform your supervisor if carrying out your assigned duties will involve an immediate family member.
- Ask your supervisor if you are unsure.

Frequently Asked Questions.

Q I'm responsible for inspecting work performed by private contractors. Employees in my area often have family members that work in this industry. My Department Director has asked that employees complete annual conflict of interest disclosure statements. Do I have to complete this form?

A Yes. Some operational areas within the City may be more susceptible to potential conflicts of interest. Department Directors may feel it necessary to regularly remind employees of applicable policies and ask employees to confirm that all potential conflicts have been disclosed.

Q I'm responsible for processing past due accounts. My wife's aunt has an account that is past due. What should I do?

A Since this account belongs to an immediate family member as defined in Section 210 of the Personnel Policies, you should discontinue processing the account and inform your supervisor of your conflict.

Section 306 Staff Control

To assist in the development of staff and to ensure the necessary internal controls are in place, the Department Director may require cross training or mandatory vacation for those in operations handling money, personnel/payroll, or other associated services.

Why is this important?

Required cross-training or mandatory vacations allow management to ensure that proper business practices are being followed.

Frequently Asked Questions.

Q I am a Cashier. Can my supervisor force me to take a week of vacation?

A Yes.

Section 307 Personal Appearance

It is the responsibility of each employee to represent the City in a manner that shall be courteous, efficient and helpful. An employee shall be well-groomed and dressed in a manner which is suitable for the public service environment and reflects favorably on the City's image. Divisions or departments may establish specific dress code policies.

What does this mean?

Your department can establish rules governing your personal appearance in the workplace and you will be expected to comply with those rules.

Frequently Asked Questions.

Q My nose, eyebrow and tongue are pierced. My supervisor told me that I was not allowed to wear these piercing adornments while at work. Can my supervisor prohibit this?

A Yes.

Q We can wear jeans on Fridays. My supervisor told me that I could not wear jeans that have holes and are frayed. These jeans are brand new and are the latest style. Can my supervisor prohibit this?

A Yes.

Section 308 Fraud Intolerance

308.01 The City has established systems and internal controls to provide reasonable assurance of the prevention and detection of fraud and to encourage reporting by City employees of improper governmental action taken by City officers or employees. The term fraud refers to, but is not limited to: intentionally entering false or erroneous information into electronic software systems; any dishonest act; forgery or alteration of any official document; misappropriation of funds, supplies, equipment, or City materials; improper handling or reporting of money or financial transactions; profiting by self or others as a result of inside knowledge; destruction or intentional disappearance of records, furniture, fixtures, supplies or equipment; accepting or seeking anything of material value from vendors or persons providing services or materials to the City for personal benefit; or any similar or related irregularities.

Employees are required to sign a statement upon employment acknowledging they have received, read and understand the City's fraud policy and agree to comply with it. Fraudulent acts will not be tolerated and may result in disciplinary action up to and including termination from City employment. Fraudulent acts will be pursued to the fullest extent and may result in criminal charges.

308.02 Improper actions are actions undertaken by an employee in the performance of their official duties that:

- (a) are in violation of any federal, state or local law; or
- (b) constitute an abuse of authority; or
- (c) create a substantial, specific danger to public health or safety; or
- (d) constitute a waste of public funds.

Improper actions do not include common personnel actions, such as the processing of grievances or alleged violations of labor (collective bargaining) agreements.

308.03 An employee who has reason to believe that there may have been an instance of fraud, improper action, or other illegal act in connection with a City program, function or activity shall report it immediately to a supervisor or manager, the Department Director, the City Manager's Office or the City Auditor's Office. An employee may also report such instances by contacting the OKC 4Ethics Hotline as discussed below. Failure to report such instances may result in disciplinary action up to and including termination.

308.04 The City Auditor shall be notified by the City Manager or department contact of all such instances reported. Reported incidences will be appropriately investigated as expeditiously as possible. When an investigation confirms that fraud or an illegal act(s) has occurred, appropriate corrective action will be taken, up to and including termination. An employee terminated under this section will not be eligible for rehire.

308.05 Under most circumstances, an employee's supervisor should be the first point of contact. However, the Office of the City Auditor has established the OKC 4Ethics Hotline to provide employees a vehicle to anonymously (if desired) report fraudulent or inappropriate activity by City employees or those doing business with the City. City employees can call the OKC 4Ethics Hotline 24 hours a day, 7 days a week. Information gathered from the OKC 4Ethics Hotline calls, intranet reporting, or email will remain confidential to the extent permitted by law. The OKC 4Ethics Hotline number is (405) 297-2227. The online reporting form may be found at insideOKC. The email address is 4ethics@okc.gov.

For calls that are matter of public safety or imminent danger, employees should dial 911. For concerns relating to sexual harassment or other forms of discrimination, you should contact the Labor Relations Division Hotline at (405) 297-2567, 24 hours a day, 7 days a week. All other workplace issues may be addressed by contacting the Labor Relations Division at (405) 297-2410 during normal business hours.

What does this mean?

The City of Oklahoma City is committed to protecting the revenues, property, information and other assets from any attempt, either by members of the public, contractors, sub-contractors, agents, or its own employees, to gain, by deceit, financial or other benefits.

Any time an employee has reason to believe that a fraudulent, improper or illegal act has occurred relating to City operations, it should be reported so that it can be investigated.

Why is this important?

All Employees and City Council appointees have a fiduciary duty to the citizens that we serve to be ethical in fulfilling the responsibilities of our positions.

It is every City employee's duty/responsibility to report suspected instances of fraudulent, improper or illegal acts.

It is the City's intent to fully investigate any suspected acts of fraud, improper action or illegal act and take the necessary steps to fully address the situation.

Things to do.

- Report instances of fraud, improper action or other illegal acts relating to a City program, function or activity to a supervisor or manager, the Department Director, the City Manager's Office or the City Auditor's Office as soon as possible. You may also report such instances by contacting the OKC 4Ethics Hotline discussed above.
- Do not discuss the matter with anyone, including co-workers, the media, citizens, etc., other than your supervisor or authorized investigative personnel, such as the City Auditor or the Police.
- Never make intentional, false allegations of fraud.
- Never threaten or take any other adverse action against an employee because the employee has acted in accordance with the fraud policy.
- Report sexual harassment and other personnel related matters directly to the Personnel Department's Labor Relations Division at (405) 297-2567.

Frequently Asked Questions.

Q I'm aware that some employees repeatedly don't report their leave time in the payroll system. It is well known throughout the department that some employees are routinely "missing in action" and have not received approval by their supervisor for a flexible or modified work schedule. I'm also aware that some employees are not at work because they are on vacation or are ill. However, they don't report their leave time in the payroll system. Is not reporting leave time considered fraud? What should I do?

A Intentionally entering and/or approving false or erroneous payroll information into the payroll system is considered payroll fraud. Report your observations to your supervisor and/or Department Director. If you do not believe that appropriate actions have been taken to address your concern, then contact the Personnel Department, the City Manager's Office and/or the City Auditor's Office.

Q I'm aware that a coworker has divorced his spouse but intentionally didn't report the divorce to the Personnel Department's Employee Benefits Division. Consequently, the spouse was not removed from the City's benefits program as a dependent. Is this fraud?

A Yes. You should report your concern to the Personnel Department.

Q I saw an employee put fuel in her personal vehicle using her City issued fuel card. Is this fraud?

A Yes. You should report what you saw to your supervisor, Department Director, the City Manager's Office and/or the City Auditor's Office.

- Q** My supervisor has directed me to cancel several citizen requests for service and reschedule them for a later date so that it appears service requests are not aging and LFR performance measure reports will reflect that targets are being met. Is this fraud?
- A** Yes. Even though it doesn't involve taking assets, falsifying performance records is a type of fraud. You should report your concerns to the Department Director, the City Manager's Office and/or the City Auditor's Office.
- Q** The employee in-charge of purchasing for my division has become very close with one of our vendors. Several of the other employees and I have noticed that this employee has gone on several trips with the vendor, socializes with the vendor and drives a new car. Should we be concerned about this relationship?
- A** Yes. Anytime you observe inappropriate activity between an employee and a vendor, you should report it to your supervisor, Department Director, the City Manager's Office and/or the City Auditor's Office.
- Q** I'm aware that my supervisor falsified information on a report that resulted in our department receiving grant money. Is this fraud?
- A** Yes. Even though the grant funds would be used for City programs, falsifying documents to gain funds for your operations is a type of fraud. This also includes falsifying program and performance results reported to the granting agency. You should report your concern to the Department Director, the City Manager's Office and/or the City Auditor's Office.
- Q** I've been asked to make accounting entries to the financial records that I believe will misrepresent the City's financial condition. Is this considered fraud?
- A** Yes. You should report this situation to the Department Director, the City Manager's Office and/or the City Auditor's Office.
- Q** My supervisor has overridden operating policies and authorized issuing a building permit prior to the normal plan review process without any justification. Is this considered fraud?
- A** It would be considered a "red flag", meaning that it is something that should be reported to the Department Director, the City Manager's Office and/or the City Auditor's Office. Overriding policies and showing favoritism is at best considered an abuse of power and may be an indication that your supervisor is personally benefiting.

Q I learned from a vendor's employee that the chemicals provided by the vendor for cleaning our equipment have been diluted and don't meet the specifications included in the contract. What should I do?

A Report the allegation to your supervisor, Department Director, the City Manager's Office and/or the City Auditor's Office so that it can be investigated. Don't discuss the allegation with anyone other than the investigative personnel, which may include the City Auditor.

Q My Department Director has told me to bill another entity for services rendered by the City. The amount I've been directed to include on the invoice can't be supported and I feel very uncomfortable with the whole situation. I know the Department Director will be very angry with me for questioning their directive. What should I do?

A Notify the City Manager's Office and/or the City Auditor's Office of your concerns.

Section 309 Whistleblower Policy

An employee who reports a suspected incident of fraud or illegality, a safety, health or security concern, or assists in an investigation shall be protected from retaliation. However, an employee who believes that they have experienced retaliation for making a genuine report or assisting in an investigation shall report this as soon as possible to the Department Director, Personnel Director, City Manager's Office, or City Auditor's Office.

Retaliation towards an employee who has come forward to raise a genuine concern under this policy or who has participated in an investigation of a suspected violation under this policy is strictly prohibited. Any such conduct will be grounds for disciplinary action, up to and including termination.

However, whistleblowing does not protect the employee from disciplinary action for his/her involvement if found to be in violation of this policy.

Why is this important?

Employees should not fear reprisal when carrying out their duty/responsibility to report suspected instances of fraudulent, improper or illegal acts.

Frequently Asked Questions.

Q I have reported a suspected fraudulent act within my department. I have not been allowed to attend a training session offered to others with similar job duties in the department. What should I do?

- A If you believe you are being retaliated against because you reported suspected fraud, you should report this to your Department Director, the Personnel Director, the City Manager's Office, or the City Auditor's Office as soon as possible.
- Q I have reported a suspected fraudulent act by my supervisor. As a whistleblower, am I protected from discipline relating to my job performance?
- A No, all employees, regardless of whether they are a whistleblower, must abide by established workplace rules such as time, attendance or performance standards.

Section 310 Social Media

Speaking on Behalf of the City

Employees shall not speak on behalf of the City through any forum (including social media) unless authorized by the Department Director or City Manager. Employees should make their supervisor or Department Director aware of social media posts that they believe need a response from the City. An employee shall not identify himself/herself on social media as a City employee in situations in which the posts may be viewed by the public as being representative of the City.

Use of City Time

Employees shall not use social media during work time when it interferes with their work responsibilities, whether using City-owned equipment or their own. (Refer to Personnel Policies section 1203.28.)

Conduct

The City promotes a workplace free of conduct that can be considered discriminatory, abusive, disorderly, disruptive or retaliatory. Any conduct, whether intentional or not, which disrupts the workplace and/or interferes with another employee's performance or creates an intimidating, hostile, or offensive work environment, could be a violation of the City's Personnel Policies and result in discipline. This includes conduct on personal social media accounts. (Refer to Personnel Policies section 1203.09 and current PSB – Policy Prohibiting Discrimination and Sexual Harassment.)

Email & Passwords

Employees shall not use their City email address as a login for personal business - like banking, social media, shopping sites, etc. Employees should always protect their City password(s). For security reasons, employees should never use their City password as the login for any third-party accounts, including social media. (Refer to the Information Systems Acceptable Use Policy.)

Confidential Information

Employees shall never publish, post or release anything considered confidential City business when using social media. An employee should ask their supervisor if they have

questions about what is considered confidential. (Refer to Personnel Policies Sections 410 and 1203.42.)

Violations shall be grounds for disciplinary action, up to and including termination.

Why is this important?

Employees have a responsibility to conduct themselves in accordance with the Code of Ethics for Government Service and this Code of Conduct while at the worksite or online.

Frequently Asked Questions.

Q I have seen a social media post ridiculing my department's operations. The citizen behind the post obviously doesn't have all the facts. May I respond to the post to clarify the situation?

A Maybe. As a citizen, you have a First Amendment right to post on social media; however, you should not speak on behalf of the City unless you are authorized to do so by your Department Director or the City Manager. You should make your supervisor or Department Director aware of the social media post ridiculing your department's operations.

Q I use social media to stay in touch with friends and family. I often use social media at work but I'm very careful to use my own phone. Can my supervisor prohibit me from using social media during work time?

A Yes.

Q I have a coworker with whom I am in constant conflict. At times, I feel that I just need to vent. May I use social media to make derogatory comments about my coworker?

A No. Your coworker may feel that your comments create a hostile or offensive work environment.

Q As part of my City job, I have a membership in a professional organization. May I use my City password on the professional organization's website?

A No. While your membership is work-related, you should never use your City password on outside accounts.

VI. Other Personnel Policies

In addition to the Code of Conduct, there are a number of other Personnel Policies relevant to employee behavior and expectations in the workplace. Two of these policies have been selected for further discussion.

Section 210 Nepotism

An employee's immediate family member shall not be employed, transferred or promoted where:

- (a) One immediate family member would have the authority to supervise, appoint, remove, discipline, or evaluate the performance of the other;
- (b) One immediate family member would be responsible for auditing or reviewing the work of the other;
- (c) That person is an immediate family member of the Mayor, any member of the City Council, or the City Manager. Persons who have been continuously employed by the City for a period of two years prior to the election of the related Mayor or Council Member or the appointment of the City Manager are excluded from this prohibition; or
- (d) Other circumstances exist which would place an immediate family member in a situation of actual or reasonably foreseeable conflict of interest.

Management has the right to take appropriate action to resolve situations addressed in Sections (a) through (d) that exist or are created.

For the purpose of this section, "*immediate family member*" includes: spouse, son, daughter, father, mother, grandparents, grandchildren, brother/sister, uncle/aunt, nephew/niece, and step and/or in-law relations of the employee or the employee's spouse.

If such a relationship should exist, as defined above, at application or during employment, an employee shall notify the Personnel Director, or designee, of any immediate family member employed with the City. Any employee in a position prior to the date of adoption of these policies shall be grandfathered from application of this section, but must disclose any immediate family member working for the City to the Department Director to assist in accommodating work assignments.

The Personnel Director, or designee, will establish guidelines necessary to carry out this policy.

What does this mean?

Whenever there is the potential for personal gain or benefit, employees must remove themselves from the decision-making process. Employment opportunities must be carried out impartially – without any advantage or favoritism to their immediate family members.

Why is this important?

All City business must be conducted fairly and impartially in fact and appearance to maintain the trust and confidence of our citizens.

Things to do.

- Disclose any relationships you may have with persons in the organization.
- Remove yourself from the decision process if you or an immediate family member is directly affected by the outcome.
- Ask your supervisor if you are unsure.

Frequently Asked Questions.

Q My brother and I are both City employees. I am a management employee and my brother is a non-management employee. My brother has applied for a position in my Division, and if chosen for the position, will be under my direct supervision. Is this permissible?

A No. The City's Nepotism policy prohibits immediate family members from working in a situation that would place one in a position of supervising the work of the other.

Section 410 Access to Confidential Information

Employees may be provided access to confidential information, including protected, sensitive and privileged information, during the course of their employment. Such confidential information shall only be used for the express purpose of addressing work assignments and will not be discussed or disclosed with others unrelated to those work assignments.

Employees shall hold confidential all confidential information accessible as an employee of the City of Oklahoma City and shall not use their position to access information unrelated to their work assignments.

Suspected violations of this policy shall be reported immediately to a supervisor or manager, the Department Director, the City Manager's Office, or the City Auditor's Office. Violation of this section, including failure to report suspected violations, shall be grounds for disciplinary action up to and including termination (Refer to Personnel Policies Sections 1203.42, 1203.47, and 1203.50).

Any inadvertent disclosure of confidential information through technological means shall be reported in the manner set forth in the Information Technology Acceptable Use Policy. Inadvertent disclosure of confidential information shall be managed as set forth by State law.

What does this mean?

As an employee, you may be granted access to confidential information. It is your responsibility to use this information only in performing your assigned work. You should not share this information with co-workers or use the information for personal reasons including secondary employment.

Why is this important?

While most information in City government is a matter of public record, some information is protected by City policy or State and Federal law. Keeping protected information confidential and using this information only for its intended purpose is important to maintaining the confidence and trust of our citizens.

Things to do

- Use confidential information only for official purposes.
- Do not share confidential information with others.
- Ask your supervisor before disclosing information if you are unsure.
- Report any disclosure of confidential information in accordance with the Information Technology Acceptable Use Policy and/or the Personally Identifiable Information Policy.

Frequently Asked Questions

- Q** As a City employee, I have access to confidential information. My Department Director has asked that I sign a statement acknowledging that I am aware the information is protected and that I will abide by my responsibilities under the Code of Conduct. Do I have to sign this statement?
- A** Yes. In fact, the Department Director may feel it necessary to remind employees of their responsibilities regarding confidential information under the Code of Conduct by requiring employees to sign confidentiality statements annually.
- Q** A co-worker has asked that I provide them with confidential information. Should I give the information to them?
- A** No. Confidential information should only be used for carrying out work assignments and should not be discussed with or disclosed to others unrelated to those work assignments. If you are unsure whether your coworker has been authorized to access the information, ask your supervisor for guidance.

VII. Questions about Potential Ethics/Code of Conduct Issues

An ad hoc Ethics Committee has been established to address questions or concerns about possible violations of this policy, such as improper or unethical practices. The City Manager will appoint members to the Ethics Committee. The City Auditor and Municipal Counselor and/or their representatives serve on the Ethics Committee in an advisory capacity. The Ethics Committee is available to address questions under this policy. Questions for the committee may be emailed to personnelquestions@okc.gov.

VIII. Administration

Each City Department shall be responsible for administration of the rules set forth herein pertaining to its employees. Additionally, each City Department will be responsible for ensuring that an OKC 4Ethics Hotline poster (available from the City Auditor's Office) is displayed at every employee worksite where federal and state workplace postings are required.

The Personnel Department shall be responsible for general oversight and interpretation of the human resources issues that may arise. Additionally, the Personnel Director will ensure that all new hires receive notification of the policy during new employee orientation and obtain signed receipt of the policy.

The City Auditor's Office shall be responsible for the administration of the OKC 4Ethics Hotline and coordination/investigation/referral of information to the appropriate authorities.

IX. Other Professional Codes of Conduct

Some employees with professional affiliations – accountants, lawyers, engineers, auditors, and public safety officers – may be subject to more than one Code of Conduct. If a situation arises that may cause conflict or confusion between the applicable codes, ask a supervisor or a Personnel Department representative for guidance.

X. Other Policies

City employees are also reminded of the following policies available on insideOKC that are relevant to employee behavior and expectations in the workplace:

- General Time and Attendance Policy
- Purchasing Policies and Procedures Manual
- Information Systems Acceptable Use Policy
- Personally Identifiable Information Policy