


AR320 – Ethical Standards

	Responsible Department:	Effective Date:
	Approvals:	June 16, 2022
	<u>JT</u> Jim Thompson, City Manager	Date Approved:
	<u>SRS</u> Sherry Scott, City Attorney	June 16, 2022
	<u>DBB</u> Donna Brown, Human Resources Director	June 16, 2022

1.0 PURPOSE

1.1. To identify standards of ethical behavior expected of all city employees that are consistent with state law and city ordinances.

2.0 APPLICABILITY

2.1. This administrative regulation applies to all city employees and all employees are responsible for complying with this administrative regulation.

2.2 Employees should follow ethics codes applicable to their professional organizations, licenses or certifications. If there is a conflict between a professional code and this administrative regulation, employees should follow the more restrictive standard.

2.3 Employees in violation of this administrative regulation will be subject to disciplinary action up to and including termination.

3.0 POLICY

3.1. It is the policy of the City of Scottsdale to promote ethical conduct and public trust in the integrity of Scottsdale municipal government. As a result, all employees are expected to:

3.2. Obey laws.

3.2.1 Uphold and comply with all state and federal laws, and city ordinances, rules, administrative regulations and policies relevant to the employee's job. This includes but is not limited to the following areas of particular emphasis. They are briefly summarized here for reference only; however, employees are expected to follow the actual laws or ordinances.

3.2.2 Conflict of interest provisions of state law ([Arizona Revised Statutes sections 38-501 through 38-511](#)) which prohibit employees from participating in city business

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decisions involving the financial or property interests of themselves or a family member (See Section 5.3 for process).

3.2.3 Outside employment ([Scottsdale Revised Code section 14-132](#) and [Administrative Regulation 350](#)) which allows employees to engage in outside employment only if it is approved by their supervisor and not in conflict or incompatible with city duties and responsibilities.

3.2.4 Political activity ([Scottsdale Revised Code section 14-133](#)) which provides that employees may exercise their rights as a citizen to vote and express opinions as a citizen, but may not use their position for political purposes.

3.2.5 Gifts and gratuities ([Scottsdale Revised Code section 14-135](#)) which states that nothing of value should be solicited for personal benefit, or accepted for performing city duties, and that nothing should be accepted if it could be construed as an attempt to exert improper influence on or reward any city decision or action.

3.2.5.1 Gift Declaration – If an employee accepts a gift that is not prohibited, and more than \$50 in value, the employee must complete a gift declaration form and file it with the City Clerk's Office. The employee must make his/her gift declaration within 10 business days of accepting the gift or if the gift is admission to an event within 10 business days of attending the event.

3.3. Maintain personal integrity.

3.3.1 Maintain the highest standards of personal integrity, truthfulness and fairness.

3.3.2 Avoid the appearance of misconduct or impropriety in the performance of the duties and responsibilities of their position.

3.3.3 Do not disclose confidential information for any unauthorized purpose.

3.4. Place the city and its citizens first.

3.4.1 Place the interests of the city, the community and its citizens before personal or private interests in situations in which they may be in conflict.

3.4.2 Support and implement the policy decisions, directions, rules, and regulations established by the city council and city management.

3.4.3 Do not accept anything of value, including discounts on purchases, if the reason for the gift or discount is based on your employment with, or providing services to, the City of Scottsdale. Discounts may be accepted if they are a) available to the public, b) provided by the city, c) available to government workers in general, d) available to other employee groups in Scottsdale or the region or e) offered to a class of professionals.

3.4.4 Do not knowingly allow yourself, your uniform, equipment or other symbol of city employment to be used to endorse or promote any commercial activity. This does not apply to filming or photographing by the media or public of employees

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during normal work activities or during city activities or events that are open to the public.

3.5. Keep public duties separate from private life.

3.5.1 Use city resources solely for official city business unless a limited personal use is expressly permitted by ordinance or administrative regulation or if they are available for public use.

3.5.2 Do not solicit other city employees on behalf of outside vendors.

3.5.3 Employees may solicit for charitable, nonprofit fundraising events with prior approval by upper level management, provided the solicitation does not disrupt or negatively affect the city's normal business activities.

3.6. Treat others fairly and equitably.

3.6.1 Promote impartiality, fairness and equality under the law toward all with whom employees may have contact.

3.6.2 Promote and maintain a work environment free from discrimination.

3.6.3 Do not retaliate against any person who reports and/or participates in the investigation of a violation of this administrative regulation. Retaliation includes, but is not limited to, unlawful discrimination, refusing to recommend an employee for an opportunity for which he or she qualifies, encouraging hostility from co-workers, or any other negative, tangible employment action done intentionally.

4.0 PROCEDURES

4.1 An employee who has experienced, observed or has knowledge of a violation of this administrative regulation should report it to their supervisor or the human resources director, or designee. Complaints regarding any member of the Human Resources Department should be filed with the city manager.

4.2 Complaints may be provided formally (handwritten or through email) or informally (verbally).

4.3 Complaints will be investigated by the Human Resources Department, the City Attorney's Office, or City Manager's Office, and investigative reports will be reviewed by the human resources director, the city manager, or appropriate charter officer, and the city attorney, or designee(s).

4.4 Following investigation of a formal complaint, recommendations will be made to the city manager, designee, or appropriate charter officer, for action if action is required. Recommendations for action may include corrective action or disciplinary action up to and including termination as appropriate.

4.5 An employee receiving discipline for a violation of this administrative regulation will be afforded such rights of appeal as are provided by city code, which may include an appeal to the Personnel Board (see Scottsdale Revised Code 14-75).

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5.0 RESPONSIBILITIES

5.1 The human resources director, or designee, will develop and provide training on this administrative regulation, and the documents and resources necessary to support the program.

5.1.1 Training should focus on those specific areas where clarification and emphasis of the intent and spirit of ethical standards are most warranted, including the policies and ordinances referenced in section 3.2.

5.1.2 A copy of this administrative regulation shall be provided to employees at new employee orientation, along with a statement that employees can sign acknowledging receipt of the administrative regulation, and stating they are aware of the ethical standards and agree to comply with them.

5.1.3 A method for certifying completion of the annual ethics refresher training shall be developed.

5.2 All employees must participate in ethics training within 90 days of being hired and must participate in annual ethics refresher training. Each time an employee completes a training session, they will certify that they completed the session and acknowledge they are aware of the ethical standards and will comply with them.

5.3 Employees that believe they may have a conflict of interest about a city business matter should consult with the city attorney, or designee, who will evaluate the facts and provide guidance on the issue.

5.3.1 Any employee who is or may be called upon to participate in a decision-making process in which the employee's participation would constitute a conflict of interest or the appearance of a conflict of interest or impropriety, must immediately notify their supervisor.

5.3.2 If a conflict of interest exists, the law requires that the affected employee remove themselves from the decision-making process and not participate in the decision nor attempt to influence it in any way.

6.0 OVERSIGHT AND REVIEW

6.1 Human Resources will review and update as needed, but at least every three years.

7.0 DEFINITIONS

7.1 City employee includes all individuals employed by the city, including full- and part-time regular employees; temporary employees; and job share employees.

7.2 Upper level management includes charter officers, judges, chiefs, directors or equivalent-level positions as designated in AR 105, Administrative Regulations.

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8.0 RELATIONSHIPS TO ADOPTED POLICIES, ORDINANCES:

- 8.1 Arizona Revised Statutes Sections 38-501 through 38-511, Conflict of interest
- 8.2 Scottsdale City Charter, Article 8, Sec. 5 and 6, Fraud and collusion, Conflict of interest
- 8.3 Scottsdale Revised Code, Division 3: Code of Ethical Behavior: General, Sec. 2-50. - Gifts; prohibited; exemptions.
- 8.4 Scottsdale Revised Code, Sec. 14-72, Grounds for discipline, dismissal
- 8.5 Scottsdale Revised Code, Sec. 14-132, Outside employment
- 8.6 AR 350 – Outside Employment.
- 8.7 Scottsdale Revised Code, Sec. 14-133, Political activity
- 8.8 Scottsdale Revised Code, Sec. 14-134, Nepotism
- 8.9 Scottsdale Revised Code, Sec. 14-135, Gifts and gratuities
- 8.10 AR 155 – Solicitation and Acceptance of Gifts and Sponsorship of City Functions
- 8.11 Scottsdale Resolution No. 6879, Public Service Ethics Program

9.0 LINKS TO SUPPORTING DOCUMENTS

- 9.1 Gift Declaration Form

10.0 REVIEWED/AMENDED DATES AND NOTES ON SIGNIFICANT CHANGES

- 10.1 7/1/2006. Original effective date.
- 10.2 08/6/2008. Revised to provide clarification about accepting discounts.
- 10.3 10/1/2014. Revised and reformatted the entire administrative regulation.
- 10.4 6/16/2022. Revisions include:
 - 10.4.1 Removal of the Ethics Complaint Form;
 - 10.4.2 Acknowledgement that complaints can be formal or informal; and
 - 10.4.3 Increasing the gift declaration limit from \$25 to \$50 to be consistent with Scottsdale Revised Code, Division 3: Code of Ethical Behavior: General, Sec. 2-50. - Gifts; prohibited; exemptions.