

City of Wichita

**CODE OF ETHICS**

**1 - PURPOSE**

The purpose of this Code is to establish guidelines for ethical conduct that govern City employees in performing their duties. All City employees are covered by this Code. City employees must subscribe to this Code, understand its meaning, and follow it.

Ethics inquiries are considered “personnel issues” and are protected from mandatory disclosure by the Kansas Open Records Act.

Nothing in this Code, creates any right to employment with the City.

**2 - DEFINITIONS**

**Employee** -- Any person employed by the City, full or part time. Elected officials, persons serving on City boards or commissions, and volunteers are not included in this definition.

**Ethics Advisor** – The person in each department, appointed by the Department Director, who is the liaison with the Human Resources Department regarding ethics issues. Responsibilities include:

- facilitating the complaint process
- answering questions regarding ethics and this Code
- training employees on ethical guidelines

**Ethics Officer** -- The City’s Ethics Officer is the Human Resources Director, who is responsible for processing complaints. Responsibilities include:

- providing decision-making guidance to employees
- interpreting policy, and providing ethics advice
- reporting possible criminal activity to appropriate enforcement authorities

**3 - THE CODE**

The City of Wichita’s Code of Ethics outlines expected behaviors for employees. The City will conduct its business fairly, impartially, in an ethical manner, and in full compliance with all applicable laws, policies and regulations. Employees will not engage in conduct that raises questions about the City’s honesty, impartiality and reputation, or otherwise causes embarrassment to the City.

**The following ethical standards are examples, not meant to cover all possible situations:**

**A. I am ethical in all activities.**

- I put the public's interest above my own.
- I do not allow personal biases to dictate my job behavior.
- I make impartial decisions, free of bribes, unlawful gifts, and personal interests.
- I do not make work decisions based on any personal relationship.
- I admit when I am wrong and try to remedy the situation.
- I use my official title only when conducting City business.
- I avoid exceeding, or appearing to exceed, my authority.
- I do not improperly use or permit the improper use of confidential information.
- I do not behave in ways that could embarrass the City.

**B. I am financially responsible.**

- I manage City resources entrusted to me in a prudent and responsible manner.
- I do not misuse public funds for personal gain or for unintended purposes.
- I report any improper behavior regarding City resources as specified in this Code.

**C. I use public property properly.**

- I use City vehicles only for official City business, according to my department's guidelines.
- I do not use a City purchasing card for personal use.
- I do not show favoritism in allowing the use of public property.
- I do not grant the use of public property for political or commercial uses. (Non-profit charitable use must be approved by management at the Department Director or higher level.)
- I do not falsify, or inappropriately destroy, reports or records.

**D. I follow appropriate practices regarding gifts.**

- I do not use my official position to solicit gifts, donations, discounts or services for personal gain, or where the circumstances involved with the gift, donation, discount or service give even the appearance of unfair influence.
- If a gift, donation, discount or service is offered to me, I do not accept it if I believe or it appears that the item offered could influence my behavior in favor of the person or organization offering it.
  - An occasional non-monetary item of nominal value is not considered a "gift," such as food at a reception generally open to employees or the public, as long as it does not present any appearance of a conflict of interest. "Nominal value" means \$100

or less on any occasion or in total from one person or organization during a consecutive twelve-month period.

- If I receive a gift (such as food, seasonal decorations, etc.) from vendors or City business partners, I make it available to my work group.
- I do not accept travel, meals, or refreshments from persons doing business with the City, unless the refreshments or meals are furnished as an incidental part of my appearance at a public event in an official capacity, as hospitality extended for a purpose unrelated to the City's official business, or if travel, meals and lodging are provided in connection with teaching, a speaking engagement, participation on a professional or civic panel, or conference attendance in an official capacity.
- If my work group or I give a gift to a vendor in recognition of good service, the value will be less than \$25.

**E. I set an example for ethical behavior.**

- I inform my department's Ethics Advisor, or the Ethics Officer, if I personally witness a violation of this Code.
- I do not pressure others to break this Code or any other rules, regulations or policies.
- I understand that if I have questions or concerns regarding this Code, I will ask my supervisor or my department's Ethics Advisor.

#### **4 - COMPLIANCE WITH THIS CODE**

Employees are responsible for understanding and following this Code, and are expected to perform their work with honesty and integrity in any areas not specifically addressed. A violation of this Code may result in disciplinary action, up to and including termination.

The City Manager is responsible for the final interpretation of this Code. The City Manager may amend this Code.

#### **5 - DISCIPLINARY ACTIONS**

The Code of Ethics will be strictly enforced, and City employees found to be in violation will be promptly disciplined, in compliance with the City's Human Resources Policy or the appropriate bargaining unit memorandum of understanding.

#### **6 - REPORTING SUSPECTED NON-COMPLIANCE**

##### **Who May Report?**

Any City employee, plus elected officials, may file a complaint alleging unethical conduct.

## **Duty to Report**

Employees must promptly report any suspected violations of this Code. If an employee suspects a violation of applicable laws, rules or regulations by any employee, he/she will report it to the department's Ethics Advisor or directly to the Ethics Officer.

The City encourages employees to identify themselves when reporting suspected violations because this will better enable the City to investigate. However, the City recognizes that employees may want to remain anonymous. The employee must still include enough information so that an investigation can be conducted. Information must include the names of the individual(s) involved, and the actions believed to violate this Code.

## **7- FALSE REPORTS**

The City recognizes that false accusations can have serious effects on innocent individuals. False accusations occur when an employee fabricates an incident. An employee who deliberately makes false accusations will be subject to the same disciplinary actions noted in Section 5.. "No-cause" or "questionable-cause" findings do not constitute false accusations.

## **8 - DECLARING A POSSIBLE CONFLICT OF INTEREST**

City employees are subject to the governmental ethics requirements of the Kansas Conflict of Interest Act and City Code provisions regarding conflict of interest. These cover situations in which an employee and/or an employee's spouse have a "substantial interest" (as defined by the Act) in a "business" (as defined by the Act), and the employee and/or spouse are in a position to exercise power or authority or perform a duty that affects that business.

Employees must be sensitive to any relationship that has or may have a connection to City business, or the appearance of such a connection. This includes influencing others to make decisions that could have direct financial impact on themselves, a family member, personal relationship, or business entity with which the employee, a family member or person affiliated in some other way is involved.

Employees who believe they may have a conflict of interest based on this guideline, will inform their Ethics Advisor or the Ethics Officer, who will review the situation and make a determination regarding the presence of a conflict. If a conflict of interest exists, the employee will file the Employee Conflict of Interest Statement with his/her department, the Human Resources department, and the City Clerk, as required by statute.

## **9 - INVESTIGATION PROCEDURES**

The City will investigate all reports of suspected violations of this Code, including anonymous reports, to the extent possible. Employees will cooperate in these investigations.

### **Procedure for Resolving Ethics Complaints**

The complainant must complete and submit a complaint form to City's Ethics Officer within three months of the alleged occurrence.

The Ethics Officer will, within 15 business days, conduct a confidential investigation.

At the end of the investigation, the Ethics Officer will notify the complainant that the matter has been addressed. The Ethics Officer will notify the accused employee and his/her Department Director of the decision and remedies.

Investigation and prosecution of potential criminal activity will proceed independently and be conducted by the appropriate officials.

## **10 - CONFIDENTIALITY AND WHISTLE-BLOWER PROTECTION**

### **Confidentiality**

No City employee will disclose the identity of anyone who reports a suspected violation or who participates in a related investigation, unless such disclosure is required by law, regulation or legal process.

Records regarding complaints will be filed in the Human Resources Department and remain confidential.

### **Protection Against Retaliation**

It is a violation of this Code to retaliate in any form against an individual who, in good faith, reports a violation of this Code, or assists in the investigation of a reported violation. An employee who retaliates will be subject to disciplinary action, up to and including termination.

## **11 - COMMUNICATION OF THIS CODE**

This Code will be reviewed with new employees during orientation in Human Resources. A signed acknowledgement of the review and receipt of the Code will be retained in each employee's file.

## APPENDIX A

### Warning Signs of an Ethical Problem

Below is a sample of phrases that may signal an ethical problem.

- “No one will ever know.”
- “I can still be objective.”
- “I deserve it.”
- “They owe it to me.”
- “Let’s keep this under our hats.”
- “Oh, don’t be such a prude.”
- “They’ll never miss it.”
- “They had it coming.”
- “I’m just fighting fire with fire.”
- “I’ll return it when I’m finished.”
- “Don’t tell me. I don’t want to know.”
- “It’s OK if I don’t gain personally.”
- “I’m just doing what I’m told.”
- “Technically, it’s legal.”
- “Everybody does it.”
- “It’s our department’s way of doing business.”
- “This won’t affect my work.”