

SECTION VI: EMPLOYEE CODE OF CONDUCT

1. MUNICIPAL OFFICERS' AND EMPLOYEES' ETHICS ACT. In accordance with state law, all municipal officers and employees shall abide by the Municipal Officers' and Employees' Ethics Act (Utah Code Annotated starting in 10-3-1301 through 10-3-1312). The stated purposes of this state law are to establish standards of conduct for municipal officers and employees and to require a disclosure of actual or potential conflicts of interest between public duties and personal interests. Officers and employees may consult with the City Manager or City Attorney if questions concerning the Act arise.
 - A. PRIVILEGED INFORMATION. City employees who are involved with information of significant public interest may not use this privileged 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 shall be reported to the City Manager or Mayor immediately. Each employee is charged with the responsibility of ensuring that only information that shall be made available to the general public is released as defined in the Government Records Access and Management Act ("GRAMA"). Dissemination of privileged information by an employee, via social media or other method, may subject the employee to disciplinary action in accordance with Section VII: Disciplinary Action.
 - B. GIFTS AND GRATUITIES. City employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan, or item of monetary value 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 employees' performance or nonperformance of official duties. City employees shall not accept gifts or gratuities except under circumstances such as an occasional nonpecuniary gift having a value of less than \$50.00 or an award publicly presented or a loan made in the ordinary course of business or a political campaign contribution actually used in a political campaign as allowed by the Utah Code Annotated 10-3-1304.
 - C. DISCLOSURES. An officer or employee is required to make a disclosure in writing and file it with the City annually (Appendix Number 38). The written statement shall be notarized and given certain minimal information about the conflict of interest. The second required disclosure is oral and shall be made in an open meeting to the members of the body of which they are a member immediately before the discussion about the topic involved in the conflict of interest. An appointed officer who is not a member of a public body or a municipal employee shall also disclose the information required to their immediate supervisor.
2. PROFESSIONALISM. Tremonton City is a professional association whose purpose, among others, is to provide professional services to its citizens. Its employees shall

adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are required to carry out efficiently the work items assigned as their responsibility, to maintain good moral conduct, and to do their part in maintaining good relationships with their supervisors and fellow employees, the public, and other member employees and officials.

3. **CONFIDENTIALITY.** Fellow employees have an unquestionable right to expect all personal information about themselves, their illness, their family and financial circumstances to be kept confidential. Every employee has an obligation to protect this confidence. Never discuss privileged information with others who are not authorized to receive it, either inside or outside the office. Dissemination of confidential information by an employee, via social media or other method, may subject the employee to disciplinary action in accordance with Section VII: Disciplinary Action.
4. **ATTENDANCE.** Regular attendance and punctuality are essential to providing high quality work, service to customers, and to avoid extra work for fellow employees. Therefore, when the employee is going to be late or shall not be able to report to work, the employee shall notify their supervisor prior to the scheduled work time. If the employee is ill or has an emergency, the employee shall notify a supervisor (immediate supervisor preferred) as soon as possible on each day of absence.
5. **PERSONAL COMMUNICATION DURING WORK HOURS.** It is expected that employees shall limit personal communication such as visitors, emails, texts, or phone calls on their personal devices during working hours.
6. **APPEARANCE.** The City requires its employees to present a favorable impression by virtue of their appearance while at work. All employees are expected to maintain a neat and clean personal appearance, along with avoiding extreme appearance associated with hair color, body art, and piercings, maintain proper hygiene, and dress as appropriate for their job duties, as determined by the Mayor, City Manager, and/or Department Head in coordination with the City Attorney, while at work. Standards of dress shall be appropriate to meet the requirement of the employees to present themselves in a favorable impression during any contact with the public and may differ from each City department and an individual job within a City department.
7. **SMOKING.** In compliance with the Utah Indoor Clean Air Act (UCA26-38), smoking of traditional tobacco, cigars, electronic cigarettes, hookah, pipes and the like are prohibited in City facilities. Tremonton City also prohibits smoking of traditional tobacco, cigars, electronic cigarettes, hookah, pipes in City owned vehicles.
8. **PERSONAL USE OF TREMONTON CITY OFFICE ITEMS.**
 - A. **Computer Equipment.** Personal use of City owned computer systems by an employee is permitted in accordance with the following:

- (1) The employee is not compensated for the work performed, unless the employee has received prior written approval by the Mayor or City Manager.
- (2) The employee uses the computer system after hours, or on the employee's personal time.
- (3) The employee does not use the computer system for permanent storage of data.
- (4) The conveyance of content that compromises or damages the mission, function, reputation, or professionalism of the City or its employees shall be prohibited.
- (5) The employee's use of the City's computer is made with the understanding that such use and content that is accessed, transmitted, received, or reviewed is subject to access, audit, and disclosure by the City.
- (6) Misuse of City owned computer equipment by City employees constitutes misconduct, which is cause for disciplinary action, up to and including termination.
- (7) Waiver, Acceptance of Liability, and Indemnification. The employee is responsible for damages and the replacement of computer equipment that is damaged or stolen while the computer equipment is in the employee's custody. The employee also agrees to indemnify the City against any claims rising from the employee's use of the City computer equipment and the employee has signed the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) in the Appendix and submitted it to the HR/Payroll Clerk. Employees that use City computer equipment without first signing the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) constitutes misconduct which is cause for disciplinary action, up to and including termination.

B. Email/Internet. Personal use of City email and internet by an employee is permitted in accordance with the following:

- (1) Inappropriate use of e-mail and/or internet, which includes, but is not limited to, chat locations, sites of a sexual nature, etc. shall be prohibited.
- (2) Distribution of campaign materials or information shall be prohibited.

- (3) Conveying content that compromises or damages the mission, function, reputation, or professionalism of the City or its employees shall be prohibited.
 - (4) The employee's use of the City's email and internet is made with the understanding that such use and content that is accessed, transmitted, received, or reviewed is subject to access, audit, and disclosure by the City.
 - (5) Misuse of City owned email and/or internet by City employees constitutes misconduct, which is cause for disciplinary action, up to and including termination.
- C. Postage Meters. No employee shall be allowed to use City owned postage metering machines at any time for posting and mailing of any material of a personal nature.
- D. Copying Machines/Printers. Any employee desiring to use City owned copying machines and printers for items of a personal nature shall notify Accounts Payable of the date, number, and types of copies or prints so that the employee is billed for the actual costs. The actual costs, meaning the rate that the City pays the copier/printer leasing company, for using copy machines/printers.
- E. FAX. Any employee desiring to use City owned FAX for items of a personal nature shall notify Accounts Payable of the date, time and telephone number of all long distance facsimiles made so that the employee is billed for the actual charges.
- F. Telephone calls.
- (1) Local Calls. It is expected that employees shall use City owned telephones for local personal calls judiciously. Local telephone calls are to be limited to necessity and shall not disrupt the carrying out of employee responsibilities.
 - (2) Long Distance Calls. Employees are expressly prohibited from making long distance telephone calls of a personal nature on City owned telephones. Emergency calls may be made by first obtaining permission from the Department Head. Employees shall notify Accounts Payable of the date, time and telephone number of all long distance calls made so that the employee is billed for the actual charges.

9. PERSONAL USE OF TREMONTON FACILITIES, EQUIPMENT, AND VEHICLES.

A. Facilities. Personal use of City facilities by an employee is permitted without the payment of fees in accordance with the following:

- (1) Department Head Authorization. The Department Head who has management of the facility consents to the date and time on which an employee wants to use a facility.
- (2) Waiver, Acceptance of Liability, and Indemnification. The employee cleans and secures the facility after use and is responsible for damages to the facility that occurs during their use of the facility. The employee also agrees to indemnify the City against any claims rising from the employee's use of the City facility and the employee has signed the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) and submitted it to the HR/Payroll Clerk. Employees that use City facilities without first signing the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) constitutes misconduct, which is cause for disciplinary action, up to and including termination.
- (3) Not a Money Making Venture. The employees' use of the facility is not a money making venture, unless the employee has received prior written approval by the Mayor or City Manager which may permit use for some fundraising efforts.

B. Equipment. Personal use of some City equipment by an employee is permitted in accordance with the following:

- (1) Department Head Authorization. The Department Head who has management of the equipment consents to an employees' use of the equipment along with the date and time that the equipment shall be used and location of use of the equipment. The Department Head shall authorize use of City equipment to employees on a periodic and infrequent basis.
- (2) Waiver, Acceptance of Liability, and Indemnification. The employee is responsible for damages and the replacement of equipment that is damaged or stolen while the equipment is in the employee's custody. The employee also agrees to indemnify the City against any claims rising from the employee's use of the City equipment and the employee has signed the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) and submitted it to the HR/Payroll Clerk. Employees that use City equipment without first signing the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) constitutes misconduct which is cause for disciplinary action, up to and including termination.

- (3) Not a Money Making Venture. The employees' use of the equipment is not a money making venture, unless the employee has received prior written approval by the Mayor or City Manager which may permit use for some fundraising efforts.
- (4) Heavy Equipment. The use of heavy equipment such as skid loaders, back hoes, man lifts, etc. for personal use is prohibited. Other than the aforementioned heavy equipment, it shall be the responsibility of the Department Head to determine what constitutes heavy equipment.
- (5) Safety. Employees that are using the equipment shall have a working knowledge of how to operate the equipment safely.
- (6) Consumable Supplies. The employee shall pay for the cost of consumables and other expenses excepting utilities if the use of the equipment is on site.

C. Vehicles. Personal use of City vehicles by an employee is prohibited except the following instances:

- (1) Traveling on City Business. When an employee is traveling on City business with a City vehicle, the employee, upon authorization from the Department Head, may take minor excursions for shopping, entertainment, etc.
- (2) Police Vehicles. Inasmuch as it has been determined that the presence of a police vehicle within the community is a detriment to crime, and as it has been outlined in the Police Department Policy Manual, police officers are permitted to use department vehicles for personal use.

10. OUTSIDE ACTIVITIES. Employees shall not represent the City or identify themselves in any way that could be reasonably perceived as representing the City when involved in any outside activity or interest. Employees shall make a specific disclaiming statement that speech or expressions are not representative of the City, when it can reasonably be construed or confused, whether the employee is acting within his or her official duties as an employee or as a private citizen. Employees involved in an outside activity such as a civic organization, church organization, committee unrelated to City business, public office, or service club, shall:

- A. Pursue the outside activity on the employees' own time and away from the City offices;
- B. Discourage any phone, mail, or visitor contact related to the outside interest at City facilities; and

- C. Arrange for annual leave or compensatory time off to pursue the outside interest during business hours.
11. CAMPAIGN ACTIVITY. Municipal officers and employees shall follow the regulations contained in Utah Code Annotated 10-3-1108 which are generally as follows:
- A. An employee shall not be coerced to support a campaign activity, whether funds or time are involved.
 - B. An employee shall not engage in campaign activity during work hours, unless on approved leave.
 - C. An employee shall not use City-owned equipment, supplies or resources, and other attendant expenses when engaged in campaign activity.
 - D. An employee shall not use, discriminate in favor of or against, any person or applicant for employment based on campaign and political activities.
 - E. An employee shall not use the employee's title or position while engaging in campaign activity.
12. SECONDARY EMPLOYMENT.
- A. Tremonton City employment is primary.
 - (1) Employment with Tremonton City shall be the primary employment of all full-time employees. Full-time employees are permitted to engage in secondary or outside employment under the following guidelines:
 - (a) Outside employment of any employee shall not be of a type that would reasonably give rise to criticism or suspicion of conflicting interests or duties.
 - (b) Outside employment of any employee shall not interfere with the employee's ability to successfully complete all functions of the employee's employment with Tremonton City.
 - (2) Full-time employees are required to provide written notification to the Department Head or City Manager, using the Employee's Notice of Secondary Employment (see Appendix Number 16 for details) before starting any secondary or outside employment. This notification shall include the following information:
 - (a) The employer's name, business name, and business address.

- (b) A general overview of the type of business engaged in by the secondary employer.
- (c) The specific duties engaged in by the employee at their secondary employment.

B. Tremonton City's approval process.

- (1) A Department Head shall review the written notification (see Appendix Number 16 for details) submitted by the Full-time employee and make a recommendation to the Mayor or City Manager regarding whether they recommend that the employee's secondary employment is approved or denied. Factors to consider include, but are not limited to, the following:
 - (a) That the secondary employment reasonably articulates some factor or factors which could negatively impact their employment with Tremonton City. For example, that the secondary employment could reasonably be expected to be too physically or mentally draining on the employee.
 - (b) That the secondary employment could invoke a conflict of interest with their employment with Tremonton City.
 - (c) That the secondary employment is immoral or unethical.
- (2) The Mayor or City Manager shall review the written notification (see Appendix Number 16 for details) submitted by the Full-time employee and the Department Head's recommendation. The Mayor or City Manager shall determine whether the employee's secondary employment is approved or denied using the same factors enumerated above. The Mayor or City Manager's decision to approve or deny an employee's secondary employment shall be communicated in writing to the employee, using the same Employee's Notice of Secondary Employment (see Appendix Number 16 for details). The employee:
 - (a) Shall abide by that decision.
 - (b) May appeal the decision to the City Council, whose decision shall be final.
 - (c) May voluntarily resign their employment with Tremonton City.

13. CITY USE OF SOCIAL MEDIA.

A. DEFINITIONS. For purposes of this policy, the following terms are defined as follows:

(1) “Social Media” is defined as primarily Internet and mobile-based websites, applications or software for sharing and discussing information, photos, video, comments and posting links to other information. Social Media includes but is not limited to: Social Networking sites (Facebook, LinkedIn, and MySpace), Blogs, Microblogs (Twitter), Video Sharing sites (YouTube), Photo Sharing sites (TwitPic and Flickr), Wikis, or shared encyclopedias (Wikipedia), RSS feeds, and mobile phone content uploaded to the Internet.

B. PURPOSE. The City encourages the use of Social Media to further the goals of the City and the mission of its departments. Social Media may be used as a channel for disseminating time-sensitive information as quickly as possible and as marketing/promotional channels which increase the City’s ability to broadcast its messages to the widest possible audience.

C. AUTHORIZATION. Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager are authorized to use Social Media bearing the City’s name and logo to broadcast information on Tremonton City’s behalf. In doing so the City entrusts that Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall use prudent judgment in representing the City and its interests. Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall be responsible for content that is posted on these Social Media Sites. Poor judgment exercised by Department Heads and authorized designees of Department Heads when posting content may be considered as misconduct and grounds for disciplinary action. The City Council may public censure an Elected Official that exercises poor judgment in posting content on behalf of the City. The following polices shall be followed when using Social Media on the City’s behalf:

(1) Users and visitors to Social Media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between City and members of the public.

(2) Content posted to Social Media sites shall contain links directing users back to the City’s website for in-depth information, forms, documents, or online services necessary to conduct business with the City.

(3) To the degree that the Social Media websites, applications or software allows, the City’s logo, brand identity, and other marks shall be used consistent with the City’s style guide.

- (4) Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall be responsible for the content and upkeep of any Social Media sites they may create.
- (5) The City reserves the right to restrict or remove any content that is deemed in violation of this Social Media policy or any applicable law. To this end, Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall fully cooperate when asked to remove content by the City.
- (6) Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager's content and expressions shall remain factual in nature and shall refrain from providing personal opinion.
- (7) Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall use prudent judgment in posting content. City Social Media site content shall not contain offensive or inappropriate content, which includes but is not limited to, the following:
 - (a) Comments in support of or opposition to political campaigns or ballot measures;
 - (b) Profane language or content;
 - (c) Content that promotes, fosters, or perpetuates discrimination;
 - (d) Sexual content or links to sexual content;
 - (e) Solicitation of commerce;
 - (f) Conduct or encouragement of illegal activity;
 - (g) Information that may tend to compromise the safety or security of the public or public systems;
 - (h) Content that violates a legal ownership interest of any other party;
 - (i) Privileged information and other information that is protected by the Government Records Access and Management Act ("GRAMA");
 - (j) Personal information about residents, elected officials, and employee's physical health, mental health, character, competence, family, financial status, contact information, and other personal circumstances; or

- (k) Content that opposes or undermines a decision made by City Council or compromises or damages the mission, function, reputation, or professionalism of the City or its employees.

Notes: