



TOWN OF HILLSBOROUGH

PERSONNEL POLICY

POLICY 205A

LAST REVISED 3/31/06

SUBJECT: EMPLOYEE ETHICS

PURPOSE: The purpose of this policy is to establish guidelines for ethical standards of conduct which shall govern Town employees in the performance of Town business and the duties of their respective jobs. This policy is intended to provide positive direction to Town employees in order to prevent potential conflicts of interest.

This policy is not all-encompassing in its definition of conflict of interest. The “prudent person” theory can and will be applied: action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, will be subject to inquiry.

STATEMENT OF POLICY:

Conflicts of Interest

No Town employee shall engage in any act which is in conflict with or creates an appearance of unfairness or conflict with the performance of official duties. An employee shall be deemed to have a conflict if the employee:

- a) Has any financial interest in any sale to the Town of any goods or services when such financial interest was received with prior knowledge that the Town intended to purchase the property, goods or services.
- b) Solicits, accepts or seeks a gift, gratuity or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action by the Town. The employee will be guided in interpretation of this section by the distinction between a gift, gratuity or favor given or received which has significant monetary value and is offered or accepted in expectation of preferential treatment, and an expression of courtesy. Examples of acceptable courtesies include: a meal or social event, exchanges of floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays and promotions, or a sample or promotional gift of nominal value (\$25 or less).
- c) Participates in his or her capacity as a Town employee in the issuing of a purchase order or contract in which he or she has a private pecuniary interest, direct or indirect, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the Town.
- d) Engages in, accepts employment from, or renders services for private

interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above.

- e) Except for courtesies as provided above, directly or indirectly receives or agrees to receive any compensation, gift, reward, commission or gratuity from any source except the Town for any matter directly connected with or related to his official services as such employee with the Town.
- f) Discloses or uses without authorization confidential information concerning property or affairs of the Town to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the Town.
- g) Has a financial interest or personal interest in any legislation coming before the City Council and participates in discussion with or gives an official opinion to the City Council unless the employee discloses on the record of the Council the nature and extent of such interest.

Use of Public Property

No employee of the Town shall request, use or permit the use of Town-owned vehicles, clothing, equipment, materials or other property for unauthorized personal convenience, for profit, for private use or as part of secondary employment. Use of such Town property is to be restricted to such services as are available to the Town generally and for the conduct of official Town business. Authorized personal uses include taking an assigned Town vehicle to lunch on workdays as needed, stopping to run personal errands when the destination point is in conjunction with official or authorized business, and other nominal personal uses as permitted by the City Manager on a case-by-case basis.

Procedures

The City Manager shall investigate, or cause to be investigated, all suspicions, allegations and written complaints of unethical conduct.

Complaints or allegations which may be criminal in nature may be referred to an appropriate outside agency for investigation.