CHAPTER 10.
EMPLOYEE RESPONSIBILITIES AND CONDUCT

10.1 GENERAL CODE OF CONDUCT

This Chapter supplements the City of Port Orchard’s Anti-Harassment and Anti-Discrimination Policy, as well as the remainder of the City’s personnel policies relating to employee conduct. All employees are expected to represent the City of Port Orchard in a professional manner which is courteous, efficient and helpful. Employees must also maintain a clean and neat appearance appropriate to their work assignment, as determined by their position and supervisor.

The City of Port Orchard’s success in serving its citizens depends upon each employee’s performance. The City has established certain minimum standards of personal conduct. All employees, volunteers and elected officials are required to conduct themselves in a professional and courteous manner at all times when acting as an employee of the City or in a capacity that may be associated with the City. Among the City’s expectations are: tact and courtesy towards City employees and officials and the public; adherence to City policies, procedures, safety rules and safe work practices; compliance with directions from supervisors and management; and preserving and protecting the City’s equipment, grounds, facilities and resources. To this end, set forth below is a non-exclusive list of some behaviors that constitute a breach of the City’s code of conduct policies and/or expected behavior which may result in discipline, up to and including termination of employment. This list is not all-inclusive, but is provided for your general guidance.

A. Behaving in an insubordinate manner toward a supervisor or refusing legitimate work orders;
B. Working in a manner that obstructs or hinders other employees from completing their assigned duties;
C. Failing to preserve your own safety and/or the safety of others (including the failure to wear required safety clothing and equipment and the failure to promptly report an on-the-job injury or accident);
D. Releasing confidential information without authorization or in violation of the law;
E. Misusing, destroying, or damaging City property (this includes the unauthorized use or possession of City property, resources, and facilities);
F. Assault, battery, fighting or any other type of violence;
G. Disrespectful or discourteous conduct, bullying, or other unprofessional conduct;
H. Failure to follow City rules, policies, or regulations;
I. Failure to present a professional appearance appropriate to your work assignment;
J. Violations of the law or other applicable authority;
K. Failure to satisfactorily perform your job, neglect of your job duties, and failing to assist other employees when required;
L. Intimidation, threatening, or attacking another with any form of weapon to include firearms, knives, blunt instruments, clubs, or projectiles;
M. Engaging in criminal or unethical behavior (including any type of dishonesty). This includes the commission of any crime, whether committed at or away from the workplace (during or outside of working hours) that may impair the employee’s ability to effectively perform his/her job duties and/or which is so disruptive to the City’s working environment or operations that the City (in its discretion) feels compelled to terminate the employee rather than tolerate the disruption and/or inefficiencies that continued employment of the subject employee may cause;
N. Engaging in activities that pose a conflict of interest (or potential conflict of interest) with your duties and obligations to the City;
O. Engaging in behavior which reflects poorly upon you or the City;
P. Misrepresentation or withholding of pertinent facts in securing or maintaining employment with the City;
Q. Unauthorized use of your position as a City employee for personal gain (to include accepting unlawful gratuities or bribes);
R. Unauthorized recording or alternation of another employee’s time record (both employees may be subject to disciplinary action) or falsification or other improper recording of your own time record;
S. Unauthorized tardiness or absence from work;
T. Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of others or the City; and
U. Intentional falsification of records/paperwork relating to City business.

The City of Port Orchard is a relatively small organization. To make the most efficient use of personnel, the City reserves the right to change an employee’s work conditions and duties as determined appropriate in the City’s discretion. If these arrangements become necessary, the City expects the employee’s best cooperation. The City also expects that each employee will provide his/her best efforts each working day as an employee of the City. Consistently positive, cooperative, and professional conduct is an essential function of every position at the City.

Violations of the City’s code of conduct policies, breaches of expected behavior, and/or unsatisfactory work performance (as determined in the City’s discretion) will result in appropriate disciplinary action, up to and including termination of employment, as well as possible civil and/or criminal legal action. All employees are expected to abide by the City’s code of conduct policies as a term and condition of employment.

Reporting Procedure: Any employee who reasonably believes that a situation with an aggressive employee, member of the general public, or other party (e.g., any person who uses obscene or abusive language or gestures, makes threats, or acts in a violent or
threatening manner) is placing him/her in imminent danger should immediately contact the City’s police department or call 911. The employee should also immediately report the situation to his/her supervisor or Department Director. If the supervisor and/or Department Director are unavailable or are part of the violence, the employee shall report the situation to the Human Resources Coordinator or the Mayor. Once the situation has been defused, the supervisor or Department Director must contact Human Resources Coordinator to initiate an appropriate investigation. The report will be investigated as appropriate and disciplinary or corrective action will be taken to the extent necessary.

Duty to Report Protective Orders: Any employee who is the subject of or protected by a domestic violence protective order or civil protective order, which could reasonably effect their ability to perform their job duties and/or necessitate action on behalf of the City in regard to the subject protective order, shall immediately report the existence of the order to his/her Department Director or the Human Resources Coordinator.

Duty to Report Criminal Arrests and Convictions: Any employee who is arrested or convicted of a felony, gross misdemeanor or misdemeanor offence shall immediately report such arrest or conviction to his/her Department Director.

10.2 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST

Employees shall not, directly or indirectly, engage in any outside employment or hold financial interests or personal interests which may conflict, in the City’s opinion, with the best interests of the City or interfere with the employee’s ability to perform his/her assigned job. Examples include but are not limited to:

A. Outside employment which prevents the employee from being available for work beyond normal working hours, such as in emergencies or peak work periods, when such availability is required by the employee’s job;
B. Outside employment which is conducted during the employee’s work hours;
C. Outside employment which uses City telephones, computers, supplies, or any other resources, facilities or equipment;
D. Employment with a firm which has contracts with, or otherwise does business with the City; or
E. Employment which includes activities that are or may reasonably be perceived as a conflict of interest or otherwise discredits the City.

To avoid conflicts of interest, each employee must:

A. Maintain a high standard of conduct and disqualify him or herself from exerting influence in any transaction where his or her own interest may conflict with the best interests of the City, or where the employee may gain or be perceived to gain any financial or other personal benefit.

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B. Report to the City any financial interest the employee or any member of his or her family may have in any entity, agency or concern doing business with the City.

C. Refuse to accept any remuneration, gift or promise of a benefit received from anyone who has a business relationship with the City which could influence your professional judgment or discretion. Employees must report all such conduct to the City Clerk or his/her designee.

D. Accept no cash, merchandise or any item of more than a de minimis value from anyone who has a business relationship with or interest in dealing with the City. Items that are donated to use as a door prize for a fundraiser or to be auctioned or raffled off for the benefit of the City are not considered gratuities to the employee if used strictly for the purpose intended.

E. Refrain from lending money to, borrowing money from, or having loans guaranteed by anyone doing business with, or with an interest in doing business with, the City. The exception is that an employee may borrow money from a financial institution the City does business with provided the employee does not receive preferential treatment.

F. Refrain from using information or knowledge acquired by virtue of the employee’s position in the City for any personal gain or advantage by divulging such information to anyone who could use it in a manner detrimental to the City or detrimental to the fairness of the process, such as a competitive bidding process.

G. Report to the City Clerk or Mayor (or his/her designee) any knowledge the employee has of a potential violation of this Policy.

Any employee, who serves as a consultant to, or a director, officer or part-time employee of a business or agency that does business with the City, when that relationship has not been fully disclosed to the City, has a conflict of interest. This is true even when the City employee has no direct contact with the City in the course of the business or agency’s dealings with the City. This places the City at risk for inadvertent disclosure of confidential information and creates the appearance of impropriety. Thus, all employees must obtain written approval from the Mayor (or his/her designee) before the employee may accept outside work with a firm or entity that has or may have dealings or a relationship with the City.

Finally, employees are cautioned to consider carefully the demands that outside employment will create before seeking or accepting any such employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to work overtime, different hours, or refusal to travel when required. If an outside work activity does cause or contribute to job-related problems, the employee will be subject to appropriate disciplinary action, up to and including termination of employment.

Nothing in this Policy, however, is intended to apply to an employee’s military reserve obligations in the United States Armed Forces or the National Guard.
10.3 PROHIBITION OF WORKPLACE VIOLENCE

The safety of the City’s employees and public is the City’s paramount concern when dealing with issues of violence or threatened violence in the workplace. Acts of violence, threats, bullying, aggressive behavior and intimidation will not be tolerated. This includes verbal or physical threats. This also includes communications through electronic means or through a third party. Destruction of property is also prohibited. Bringing a firearm or any other weapon on City property is prohibited, with the exception of authorized law enforcement personnel acting within the scope of their employment for the City.

Threats or intimidation of a public official is prohibited. Any such conduct by members of the public or City employees directed at another City employee or City official may result in refusal of City services or access to services, discipline (up to termination), and/or legal action, including criminal action, when appropriate.

If any City employee is aware of such conduct being directed at a City employee or City official, whether the source is another City employee or member of the public, they must report such conduct immediately to their Department Director, the Human Resources Coordinator, City Clerk, Mayor or law enforcement. The City will take police action when needed to meet these safety goals.

The City will investigate all reports of threats of (or actual) violence and of suspicious individuals or activities to the extent appropriate.

An employee who participates in, commits, or threatens to commit an act of violence in the course of his or her employment or directed toward a co-worker will be subject to appropriate disciplinary action, up to and including immediate termination.

10.4 CONFIDENTIALITY OF BUSINESS INFORMATION

Employees and volunteers of the City of Port Orchard may receive and have access to confidential information regarding its taxpayers, ratepayers and other employees and officials. Employees are obligated to keep this information confidential. Other information is also considered confidential, such as attorney-client privileged communications, information used in negotiating land acquisitions or purchases, and other information exempt from the public disclosure laws. Employees who have access to or are made aware of confidential information must safeguard this information and protect it from misuse or further dissemination.

All requests for confidential City records or information must be referred to the applicable Department Director, City Clerk, or Mayor. Employees are prohibited from copying or distributing confidential information without appropriate authorization. This obligation exists during employment and it continues indefinitely after employment with the City ends. Employees who violate this Policy, and/or the trust and standard of
accountability that is expected of all City employees, shall be subject to appropriate
disciplinary action, up to and including termination, as well as any other appropriate legal
action.

10.5 CONDUCT TOWARD CO-WORKERS AND THE PUBLIC

The City of Port Orchard’s integrity and reputation in the community will be
determined by the work we do and by the employees who represent us. We are proud of
those who work for us and employees can be proud of the positions of trust they hold. We
must continue to earn that trust in everything we do. We expect that employees will
maintain the highest degree of reliability and honesty. The community will judge the City
by the actions of its employees.

All employees are expected to treat their co-workers, volunteers and the public
with courtesy and respect. While employees may disagree with one another, or even with
aspects of the City policies, management directives or other practices, they are expected
to resolve their concerns in a way that is not disruptive of the City’s business, and does
not undermine the quality of the workplace for others. If you have concerns, you are
expected to address those concerns with an appropriate member of the management team
to see if your concerns can be resolved. Employees are not to act in a way that is
considered combative or threatening to other co-workers or the public.

Similarly, disagreements and animosities among employees can detrimentally
impact the work environment for all co-workers. The City expects such disagreements
and animosities to be removed from the workplace, or resolved productively with the
help of a supervisor or the Human Resources Coordinator. Any unresolved
disagreements of this nature that impact employee performance and morale will be dealt
with as a performance problem or disciplinary matter.

Employees are also expected to conduct themselves professionally at all times.
The City will not tolerate abusive language, foul language, discourteous or insulting
conduct, threats of any kind, violence or intimidation. Such conduct will result in
appropriate disciplinary action, up to and including termination.

10.6 NO SMOKING POLICY

As required by law, the City prohibits tobacco use by employees in all City
facilities, including City-owned buildings, vehicles, and offices or other facilities rented
or leased by the City, including individual employee offices. Tobacco use is permitted
only in designated areas outside of the City’s buildings in accordance with State law.

10.7 PERSONAL POSSESSIONS AND USE OF CITY VEHICLES AND
EQUIPMENT

This Policy supplements the other personnel policies contained herein regarding
use of City equipment and resources and the conduct expected of every City employee.