

BOX ELDER COUNTY PERSONNEL POLICIES AND PROCEDURES

22.	ETHICS
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22-1. General

1. Box Elder County employees and volunteers shall comply with the provisions of the Utah Code Annotated 67-16-1 et.seq., “The Utah Public Officers’ and Employees’ Ethics Act.”, the County Officers and Employees Disclosure Act, Utah Code Annotated 17-16a-1 et. seq., the Prohibiting Employment of Relatives Act, Utah Code Annotated 52-3-1 et. seq., and the Corrupt Practices Part of the Utah Criminal Code, Utah Code Annotated 76-8-101 et. seq.
2. Employment with Box Elder County denotes a public trust justified by the confidence that the citizens trust in the integrity of officers and employees of the County. County employees should participate in establishing, maintaining, and enforcing, and should personally observe, high standards of conduct in order to preserve the integrity and independence of the County. This policy should be construed and applied to further that objective.
3. Employees are expected to adhere to the highest standards of personal, professional and business ethics, and to use common sense and good judgment about the way they conduct themselves when on duty or anytime when representing Box Elder County, or when acting under color of authority of a Box Elder official or employee.
4. Employees shall avoid even the appearance of unethical behavior in all business relationships, both foreign and domestic. Box Elder County’s business success does not require unethical actions, and such conduct is not condoned. Employees should contact their supervisor, Elected Official/Department Head or Human Resources with any questions or concerns regarding business ethics at Box Elder County. Engaging in unethical conduct may result in disciplinary action up to and including termination of employment. Most statutory ethics violations require that the employee be terminated from employment.
5. This policy is not meant to limit or restrain any officer’s or employee’s right to free speech in a personal capacity, but does limit speech when such speech is done in a manner so as to represent it is in an official capacity as a county official or employee.

22-2. Unethical Conduct

“Unethical Conduct” includes but is not limited to:

- a. Engaging in business conduct which is damaging to Box Elder County’s reputation;
- b. Disclosing or misusing non-public information, trade secrets or confidential or proprietary information belonging to the county or its customers;
- c. Promising or giving something of value to anyone doing or seeking to do business with the county in order to influence them in matters relating to the county;
- d. Accepting or soliciting gifts, entertainment, services, or other benefits where the purpose is to unduly influence business decisions;
- e. Selecting vendors based on non-business reasons, such as personal or business relationships unrelated to county business;
- f. Directing business to a relative, friend, or company in which the employee or one of the employee’s family members has a direct or indirect financial or personal interest;
- g. Representing or discussing county affairs with the media without proper authorization;
- h. Engaging in illegal activity; and
- i. Using county confidential information or trade secrets, facilities and supplies, and merchandise for personal gain.

22-3. Management

1. Supervisory personnel shall make reasonable efforts to ensure that employees subject to their direction and control observe applicable federal, state, and local laws, standards set out in these policies, and departmental procedures, policies and rules.
2. Supervisory personnel shall diligently discharge administrative responsibilities, maintain professional competence in County administration and assist other employees in the performance of their duties.
3. Supervisory personnel shall take action regarding any unethical conduct of which they may become aware, initiating appropriate disciplinary measures against an

employee for any such conduct and reporting to appropriate authorities evidence of any unethical conduct.

4. Supervisory personnel shall provide information and instruction to employees regarding the policies and procedures for their respective work locations.

22-4. Performance of Duties

1. Employees are expected to apply themselves to their assigned duties during the full schedule for which they are being compensated.
2. Employees shall not conceal, alter, falsify, destroy, mutilate, or fail to make required entries on any records for which that employee is responsible.
3. In the conduct of service, employees shall not discriminate or harass another person, by words or actions, bias or prejudice.
4. Employees shall respond to appropriate inquiries and provide information regarding investigations or allegations related to County policy and procedures.
5. Employees shall not refuse to enforce or otherwise carry out any properly issued rule or regulation of the County, nor shall a County employee exceed that authority.
6. Employees shall not be required to perform duties not related to the official business of the County.

22-5. Abuse of Position

1. Employees shall use public resources, property, and funds under the employee's control, and any influence, power, authority or information derived therefrom, judiciously and solely in accordance with established procedures.
2. Employees shall not use or attempt to use a County position to secure privileges or exemptions.
3. Employees shall not dispense special favors to any member of the public or another employee, whether or not for remuneration.
4. Employees shall not assist any person in securing a contract with the County in a manner not available to any other interested person without required disclosure.
5. Employees shall not be influenced in the performance of duties by kinship, rank, or position.

6. Employees shall not request or accept a fee or compensation beyond that received in an official capacity for advice, information, or service that is otherwise available from the county.
7. Employees shall not solicit, accept or agree to any gifts, loans, gratuities, discounts, favors, hospitality, or services under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence the County employee in the performance of official duties. This subsection does not apply to the following:
 - a. An award presented in recognition for public services;
 - b. Any bona fide loan made in the ordinary course of business by any institution authorized by the laws of this state or any other state to make such loans;
 - c. Political campaign contributions if used in a political campaign of the recipient public officer or public employee;
 - d. An occasional non-pecuniary gift having a value not to exceed \$50.
8. An employee shall not receive outside compensation for performance of the employee's County duties except in cases of:
 - a. An award of meritorious public contribution publicly awarded;
 - b. The receipt of honoraria or expenses paid for papers, transcripts, talks, demonstrations, or appearances made by the employee during work hours with the approval of the Commission; or on the employee's own time for which the employee is not compensated by the County and which is not prohibited by these rules;
 - c. The receipt of usual social amenities, ceremonial gifts, or advertising gifts.

22-6. Outside Activities

County employees shall not use County-owned property in support of outside interests and activities when such use would compromise the integrity of the County or interfere with the employee's County duties. Specifically, an employee who is involved in an outside activity such as a civic organization, church organization, committee unrelated to County business, public office, or service club, shall:

- a. Pursue the outside activity on the employee's own time;
- b. Pursue the outside activity away from County offices;
- c. Discourage any phone, mail, or visitor contact related to the outside interest at County offices;

- d. Arrange for leave time or compensatory time off in advance to pursue the outside interest during business hours; and
- e. Not use data processing equipment, postage metering machines, copiers, and/or other County-owned equipment or supplies for outside interest in accordance with the Information Technology Resources – Acceptable Use Policy and the Fleet Management – County Wide policy.

22-7. Privileged Information

County employees who are involved with information of significant public interest may not use this privileged information for personal gain or to benefit friends or acquaintances. County employees may not accept other employment if the employer expects that the employee will provide non-public information they access as a county employee. If an employee has an outside interest that could be affected by any county plan or activity, this situation must be reported to the employee's supervisor immediately. Each employee is charged with the responsibility of ensuring that only information that should be made available to the general public is released. Violation of these provisions regarding privileged information or use for private gain shall be cause for disciplinary action.

22-8. Loss of Property or Funds

1. Any officer or employee who is responsible for, has access to, or has been given possession of county property or funds shall immediately notify his or her department head of the loss of, or inability to account for, said property or funds. Also, any other employee who is aware of such a loss, irrespective of who may be the responsible party, shall also notify their department head of the loss.
2. Upon discovering a loss of property or funds or upon receiving such notice from another person, the department head shall immediately notify the County Auditor and Sheriff. If the auditor determines that the loss is one that may be covered by the county's public employee bond, he shall cause that notice of the loss, or facts indicating that a loss has occurred, be immediately given to the county's insurance company by certified mail or email.
3. The Auditor and Sheriff shall jointly conduct an investigation of the facts surrounding the loss. The results of the investigation shall be forwarded to the County Commission.