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## Human Resources Policies

## Number G-2

Replaces Policies 28 and 31

# Code of Ethical Standards

### I. Policy:

To function successfully, a democracy depends upon the consent of the governed, which only endures as long as the people comprising the government continue to earn the respect of the governed. Therefore, the successful operation of a democratic government requires that employees observe the highest standards of morality and discharge their duties of office recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs must be above reproach. To ensure the maintenance of the highest ethical standards, employees of the City of Gainesville (City) shall follow Article II, Section 8, of the Florida Constitution entitled "Ethics in Government" and Florida Statutes [Chapter 112, Part III](#), entitled "Code of Ethics for Public Officers and Employees." These provisions are general in nature and the Commission on Ethics, authorized by Section 8 of the Constitution and created by Florida Statutes, Chapter 112, encourages political subdivisions including municipalities to adopt ethical standards tailored to their particular needs. In accordance with these statutes and constitutional provisions, the City of Gainesville hereby adopts this Code of Ethical Standards.

Since it is neither desirable nor possible to list all possible activities that could result in a breach of the public trust, this code serves as a guideline and statement of policy. Each employee bears a personal responsibility for assessing his or her own compliance with these policies and guidelines. The ethical connotations of every action should be considered carefully and be directed toward enhancement rather than erosion of the public trust.

### II. Administration:

Where a question arises concerning whether or not any activity conforms to this Code of Ethics, the appropriate Charter Officer shall decide the question. Questions on key decisions may be referred to the City Commission for comment and advice at the Charter Officer's discretion.

### III. Fair and Equal Treatment:

Every employee must treat all citizens with courtesy, impartiality, fairness and equality under the law. No employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

### IV. Use of City Resources:

Use of City resources, including personnel, vehicles, equipment, material or funds (including procurement cards) for other than legitimate City business is prohibited

except for de minimis personal use authorized by City policy or procedure. Such prohibited use is considered a breach of ethics.

V. Solicitation or Acceptance of Items of Value:

No employee shall solicit or accept anything of value for personal use, including free or discounted goods, services, prizes, gifts, favors, accommodations, entertainment, discounted loans, promises of future employment or anything else of value, except as provided below.

This code must be read as proscribing the appearance of impropriety as well as actual conflicts of interest. No circumvention of this code is permitted by diverting free or discounted goods or services to family or associates of employees in order to avoid direct acceptance of gifts.

Exception - NO breach of ethics is deemed to occur under the following circumstances provided there is no understanding that the vote, official action, or judgment of the employee would be influenced under such circumstances:

1. Items of value offered to the general public or a representative group thereof as described in Administrative Procedure G-2.
2. Promotional materials, awards, prizes, food or drink of inconsequential value as described in Administrative Procedure G-2.
3. Campaign contributions publicly reported in accordance with the applicable election laws.
4. Compensation under the City's compensation policies or collective bargaining agreements.
5. Normal gift giving among family and friends on festive occasions.

VI. Contracts with the City:

Except for publicly recorded salary and benefits, no employee may receive any additional personal financial benefit (income, goods or service, or increase in equity or other value) from any transaction of the City, including contracts for construction and transactions for the sale or purchase of goods, services or real estate, except those indirect and incidental public benefits and conveniences accruing to all citizens under similar circumstances. (See Section 2-146 of the City of Gainesville Code of Ordinances.)

VII. Policy or Legislative Matters Before the City Commission:

Any employee who has a financial or other private interest in any matter before the City Commission requiring a decision and vote by the Commission or who contributes to the preparation, presentation or discussion of an official report or recommendation to the City Commission affecting such financial or other private interest shall disclose at

the appropriate public meeting, orally or in writing, duly recorded in the minutes thereof, the nature and extent of such interest. This disclosure shall be made prior to any vote by the City Commission.

VIII. Honorariums:

- A. Honorarium refers to monies and expenses received by an employee of the City of Gainesville for performing some service for an organization not directly associated with the City.
- B. Employees shall not accept and retain both an honorarium and payment from the City for the same work or expenses.
- C. Employees receiving honorariums in accordance with this policy will not be required to file Outside Employment forms.
- D. If an honorarium is offered to the employee for services normally covered by the City, the honorarium is to be paid to the City of Gainesville. The employee is encouraged to have the original honorarium paid with a check made payable to the City of Gainesville, when possible.
- E. If an employee accepts an honorarium for expenses normally covered by the City, the expenses for the given period of time will not be advanced or paid by the City. The employee will be considered an agent of the organization which is offering the honorarium or travel expenses, and for that period of time which the City so designates, no expenses will be paid.

IX. Penalties:

Violations of the provisions of this policy may result in disciplinary action, up to and including dismissal, to be imposed pursuant to the Disciplinary Procedures/Code of Conduct, Personnel Policy E-3.

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