

# Ethics Handbook



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Ethics is a set of moral principles or values that establishes rules and standards of personal conduct. It involves the study, discussion and debate of right and wrong, good and bad, and moral judgment.

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On July 8, 2005, the City of Tulsa adopted the "*Ethics Code*" adding it to Title 12 of the Revised Ordinances. In doing so the City of Tulsa declared the general policy relating to Ethics. The purpose of the *Ethics Code* is to provide direction to city officials of the policy of the City of Tulsa. This handbook is to assist all city officials, including employees of the City of Tulsa, to understanding the meaning and spirit of the *Ethics Code* and to assist each person in making ethical decisions that are in accordance with the *Ethics Code*.

Every City official and every City of Tulsa employee should become familiar with the content of the *Ethics Code*. A copy is appended to this handbook for easy reference.



***Ethics is a set of moral principles or values, that establishes rules and standards of personal conduct. It involves the study, discussion and debate of right and wrong, good and bad, and moral judgment.***

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## **02** What is "Ethics?"

Ethics is a concept frequently described in newspapers and news broadcasts, but often without any attempt to explain what the term "Ethics" means. Basically, Ethics is a general term for what is sometimes described as the study of morality. Through ethical standards we evaluate human action. In the field of public service ethics also involves fairness and duty to the general public. Ethical rules also assist in creating a "level playing field" in matters of public affairs and the administration of government.

The Ethics Code requires the highest standard of honesty, integrity, impartiality and conduct to gain and maintain the confidence of the public in city government.

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## **03** Who is Covered by the Ethics Code?

The Ethics Code refers to "City Official" and defines it as "every City of Tulsa elected official, officer, employee, member of a City of Tulsa Board, Authority, Commission, Committee, or Trustee appointed by the City of Tulsa in any capacity. In short, anyone who works for or on behalf of the City of Tulsa is covered by the Ethics Code.

## 04 Reporting Ethics Concerns

**Ethics Hotline:** The office of the City Auditor maintains an Ethics Hotline. This hotline is for City officials and other interested persons to report ethics violations, including fraud, waste, conflict of interest or abuse in city government. All inquiries to the hotline are kept

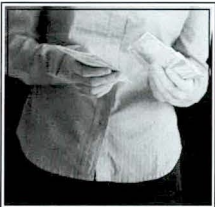
[www.tnwinc.com/webreport](http://www.tnwinc.com/webreport)

### **Employees:**

Formal complaints asserting a violation of the *Ethics Code* against an employee shall be filed in writing with the Mayor or his/her designee. Complaints shall be forwarded to the appropriate appointing authority for investigation. *The Personnel Policies & Procedures Manual* identifies the Mayor's current designee.

### **City Officials:** (Except Employees)

Formal complaints asserting a violation of the *Ethics Code* shall be filed in writing with the City Clerk who shall forward it to the appropriate appointing authority or other public body for investigation.



## 05 City Official Responsibilities

Each City Official shall avoid any action, whether specifically prohibited by this handbook, the *Ethics Code*, or the *Personnel Policies & Procedures Manual*, which might result in or create the appearance of:

- *Using public office or position of employment for personal gain*
- *Using public office or position of employment to help friends or to hurt adversaries, or otherwise giving inappropriate or preferential treatment to any person*
- *Impeding government operation*
- *Failing to use proper independence or impartiality in the performance of duties of office or employment*
- *Making job-related business decisions outside of established procedural requirements*
- *Abuse, corruption, fraud, misuse or waste of official authority*

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## 06 Equal Opportunity

City officials shall adhere to all laws, statutes, ordinances and regulations that provide equal opportunity.



## 07 Conflicts of Interest

No City official shall have a direct or indirect financial, personal or organizational interest that conflicts or appears to conflict with his or her city duties, employment, responsibilities, or the conscientious performance of those duties or employment.

No City official shall directly or indirectly engage in any financial transaction as a result of or primarily relying upon information not available to the general public obtained through his or her city affiliation. No City official shall improperly use such information to further any private interest or profit to him or herself, family members or personal friends.

If a City official believes that he or she may have a conflict of interest, they shall disclose the conflict to the appropriate manager, supervisor or appointing authority, or file a written disclosure with the City Clerk, and shall refrain from any involvement relating to that matter including, but not limited to:

- *Participation in discussions, or preparation or interpretation of bids, specifications or contracts. This includes involvement or influence of any transaction with any City official's spouse, family, or close friend engaged in any business that provides any type of goods or services to the City of Tulsa*
- *Voting or decision making regarding any related City business matters for which the conflict exists*
- *Finding outside employment*
- *Participating in outside organizations or businesses engaged in business with the City of Tulsa*

## 07 Conflicts of Interest (continued)

Additionally, if the conflict involves a business agreement with the city, where a City official may have a personal, organizational, or financial interest, or the City official's immediate family has a financial interest in the business, a written statement describing and disclosing the conflict must be filed with the City Clerk.

If a city official is not certain whether a conflict of interest exists, he or she may contact his or her manager, supervisor or appropriate appointing authority. Also, he or she may inquire to the Director of Human Resources and the City attorney. City officials, other than employees, may request an advisory opinion from the Ethics Advisory Committee.

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## 08 Gifts and Entertainment

A City official shall not solicit any personal gift, or accept any such gift or item of monetary value greater than \$35 annually from any person or entity seeking official action from, doing business with, conducting activities regulated by the City official's work or duties, or whose interests may be affected by the performance or non-performance of such work or duties. The City has adopted a detailed policy relating to gifts and entertainment. All City officials shall familiarize themselves with the details of that policy.

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## 09 Interpretation of Ethics Code

City officials, other than employees of the City of Tulsa, may request an advisory opinion from the Ethics Advisory Committee as to whether a particular act or action would violate the *Ethics Code*. Employees may request advice from the Director of Human Resources or may seek an opinion from the City Attorney as to whether his or her proposed act or action would violate the *Ethics Code*.



## 10 Personal, Financial and Organizational Interests

The *Ethics Code* prohibits a City official from participating in any City of Tulsa business in which he or she has a related personal, financial or organizational interest. The possibility of a conflict and not the actual existence of a conflict shall govern.

**Personal Interest:** A direct or indirect interest, matter or relationship not shared by the general public which could be reasonably expected to impair the City official's objectivity or independence of judgment.

**Financial Interest:** Having a direct or indirect financial gain or loss affecting a City official and his or her immediate family to a greater extent than could reasonably be expected to affect the general public. Financial interest exists in a company or business in which the City official or his/her immediate family owns, individually or combined, a five percent or more share of that company or business and the value of that share exceeds \$5,000.

**Organizational Interest:** A City official who is a director or a member of a board which establishes policy and/or budgetary decisions for a company or business.

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## 11 Handbook Distribution

A copy of this handbook shall be distributed to every City official and each person shall acknowledge in writing the receipt of this handbook.

## 12 Additional Guidelines for Ethical Conduct

- *Service to or employment by the City of Tulsa is a public trust, requiring all City officials to accept principles of loyalty and adherence to federal and state laws, as well as the Charter of the City of Tulsa, its ordinances and duly adopted policies.*
- *Open and transparent government allows citizens to make informed judgments and to hold City officials and employees accountable. City officials and employees must properly exercise their authority and discretion with regard to open meetings and public record laws.*
- *City officials must dedicate themselves to the highest standards of honor and integrity in all public and personal relationships.*
- *City officials who are responsible to or choose to delegate work responsibilities, must ensure the work is carried out efficiently and ethically in accordance with the Ethics Code, and other applicable policies and procedures.*
- *City officials shall not, without prior authorization, borrow or utilize City of Tulsa facilities, equipment or resources for personal use or gain. Neither shall they borrow equipment or resources from contractors, suppliers and citizens for personal purposes in any manner that could constitute a violation of the Ethics Code.*

## 13 Ethics Code: Chapter 6

- Section 600. General Policy.
- Section 602. Use of City Resources
- Section 603. Participation on Items of Personal, Financial, or Organizational Interest Prohibited.
- Section 604. Disclosure on Items of Personal, Financial, or Organizational Interest.
- Section 605. Gifts and Favors.
- Section 606. Use and Disclosure of Information Prohibited.
- Section 607. Contracts Related/Disclosure Required.
- Section 608. Participation in Ethics Investigations.
- Section 609. Violation.
- Section 610. Ethics Advisory Committee.

### **SECTION 600. | GENERAL POLICY**

It is the policy of the City of Tulsa that the proper operation of democratic government requires that public officials and employees be independently impartial and responsible to the citizens of Tulsa; that government decisions and policies be made only through proper channels of the governmental structure; that no City official should have any interest, financial, personal, or organizational, direct or indirect, or engage in any business, transaction, or activity or incur any obligation that is in conflict with the proper discharge of their duties in the public interest; that public office and public employment are positions of public trust imposing the duty of a fiduciary upon all officers, employees, members of boards and committees, and trustees of public trusts with the City of Tulsa as a beneficiary; and such individuals shall not use their public positions for personal gain, nor should they act in such a way as to give an appearance of any impropriety.

The purpose of this chapter is to provide direction to City officials of the policy of the City of Tulsa.

The appropriate appointing authority shall create and maintain such rules as are necessary to implement and comply with the provisions of this chapter.

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## 13 SECTION 601. | DEFINITIONS

For purposes of this chapter, the following words and phrases shall have the meanings given herein.

**Appointing Authority** means the office with authority to appoint an individual to a position. For purposes of this chapter, the City Council shall act as the appointing authority for the City Auditor and individual City Councilors, and the City Auditor shall act as the appointing authority for the Mayor.

**City Official** means every City of Tulsa elected official, officer, or employee; member of a City of Tulsa Board, Authority, Commission, or Committee; or Trustee appointed by the City to a public trust with the City of Tulsa as a beneficiary.

**Financial Interest** in an official action exists when the action may result directly or indirectly in a financial gain or loss accruing to the City official and/or his immediate family to a greater extent than could reasonably be expected to accrue to the general public. Financial interest in a company, business, organization, or other entity exists when the City official and/or their immediate family owns, individually or combined, a five percent (5%) or more share of the company, business, or other entity and the value of such share exceeds Five Thousand Dollars (\$5,000).

**Immediate Family** means the City official's spouse, children, parents or spouse's parents and any other family members within two degrees of affinity or consanguinity.

**Organizational Interest** in a company, business, organization, or other entity exists when the City official is a director or a member of a board which establishes policy and/or budgetary decisions for the entity.

**Personal Interest** means a direct or indirect interest, matter, or relationship not shared by the general public which could be reasonably expected to impair the City official's objectivity or independence of judgment.

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### **SECTION 602. | USE OF CITY RESOURCES**

City officials shall not use or permit the use of City resources for personal or private purposes, except as provided by rules adopted by the appropriate appointing authority to address minor or incidental uses common to an ordinary workplace.

### **SECTION 603. | PARTICIPATION ON ITEMS OF PERSONAL FINANCIAL OR ORGANIZATIONAL INTEREST PROHIBITED**

Except as otherwise permitted under applicable federal, state, and city laws and policies, no City official shall participate in any City business in which they have a related personal, financial, or organizational interest. Such City official shall not discuss the matter with a City official who is participating in the action other than to state his disqualification. The possibility, not the actuality, of a conflict shall govern.

### **SECTION 604. | DISCLOSURE ON ITEMS OF PERSONAL FINANCIAL OR ORGANIZATIONAL INTEREST**

- A. A City official who may receive some benefit not shared by the general public to a personal, financial, or organizational interest as a result of an item before the individual in their capacity as a City official or the public body to which the individual has been elected or appointed, shall disclose the interest to their supervisor, or their authority, board, or commission, or file a written disclosure with the City Clerk. The reasonable possibility, not the actuality, of a conflict shall govern.
- B. A City official who is required to refrain from participation in City business pursuant to Section 603 of this chapter, shall file a written disclosure describing the disqualifying interest with the City Clerk.

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**SECTION 605. | GIFTS AND FAVORS**

- A. City officials and their immediate family shall not directly or indirectly solicit or receive gifts, entertainment, or other favors which may influence or be reasonably perceived as influencing a City official in the performance of their official duties.

**SECTION 606. | USE AND DISCLOSURE OF INFORMATION PROHIBITED**

A City official is prohibited from disclosing or offering to disclose information not available to the general public and acquired by reason of his position with the City, to any party not entitled to receive such information, nor shall he use such information for his personal gain or benefit.

**SECTION 607. | CONTRACTS RELATED DISCLOSURE REQUIRED**

- A. City officials must disclose all personal, organizational, or financial interests where they or their immediate family have a financial interest in a business that is receiving City funds, directly or indirectly, through a business agreement with the city or a City contractor.
- B. The disclosure required by this chapter shall be accomplished by filing with the Tulsa City Clerk a written statement of the City official involved describing the interest being disclosed.

**SECTION 608. | PARTICIPATION IN ETHICS INVESTIGATIONS**

- A. City officials shall not participate in investigations of their own actions, except to provide information or testimony. The appropriate entity, including but not limited to the Human Resources Department, Police Department, City Auditor's Office, and/or the City Attorney's Office may assist and participate in investigations involving City officials.
- B. City officials shall respond fully and truthfully to inquiries made in the course of official investigations of alleged or potential violations of this chapter.

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## SECTION 609. | VIOLATION

- A. Intentional violation of this chapter by a City official shall be grounds for disciplinary action up to and including dismissal or removal from office as may be provided by law.
  
  
  
  
  
  
  
  
  
  
- C. A complaint asserting a violation against any other employee shall be filed in writing with the Mayor or his designee. The Mayor or his designee shall initiate an investigation or forward the complaint to the appropriate appointing authority or other public body for investigation and appropriate action.
  
  
  
  
  
  
  
  
  
  
- D. All records generated or compiled in response to a complaint, including the initial complaint, shall be released to the public only as required by law or court order.

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## **SECTION 610. | ETHICS ADVISORY COMMITTEE**

- A. There shall be created an Ethics Advisory Committee, which shall act as a recommending body to the City of Tulsa on ethical issues.
  
  
  
  
  
  
  
  
  
  
  
  
  
  
  
- C. Any elected official; Charter division or department head; member of a City of Tulsa Board, Authority, or Committee; or Trustee of a public trust with the City of Tulsa as a beneficiary may request an opinion from the Ethics Advisory Committee on an ethical issue arising under this chapter.
- D. The Ethics Advisory Committee may provide ethics' opinions or recommendations for ethics policies, procedures, or guidelines.
- E. The Ethics Advisory Committee shall provide a written report to the City Council by April 1 of every year on its activities for the preceding 12 months and anticipated activities for the next 12 months.
- F. The Ethics Advisory Committee shall provide the Mayor with its budgetary recommendation by January 15 for the next fiscal year.
- G. The Ethics Advisory Committee shall meet no less than once per calendar quarter.



## 14 Ethics Committee

### *Members*

Roger Scott, Chairman	Jeffrey Tracy
George Mccutchen, Sr. Jacci Walker	Dale J. Billam

Liaison: Office of the City Clerk  
175 East 2<sup>nd</sup> Street  
Suite 260  
Tulsa, OK 74103  
918-596-7513  
[CityClerk@CityofTulsa.org](mailto:CityClerk@CityofTulsa.org)

## Notes

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175 EAST 2ND STREET, TULSA, OK 74103

