

# Code of Ethics and Professional Conduct Policy

## PURPOSE

The Monmouth County Code of Ethics and Professional Conduct provides employees with guidelines on business ethics, professional conduct, and the County's perspective on various matters. It is the responsibility of every Monmouth County employee to comply with the policy. If employees are ever unsure whether an action or behavior is ethical or proper, they should discuss the matter with their manager or Department Director. Employees may also contact the County Administrator's Office or Human Resources for direction.

## SCOPE

This policy applies to all full and part-time employees, seasonal and temporary employees, paid and unpaid interns, volunteers, as well as business entities, such as vendors and consultants.

The policy follows guidelines set forth in the following reference documents:

- \* Federal Hatch Act of 1939
- \* New Jersey Conscientious Employee Protection Act (CEPA)
- \* Local Government Ethics Law, P.L. 1991, c. 29, N.J.S.A. 40A:9-22.1, et seq.
- \* Resolution 05-309, Prohibiting Certain Employees from Holding Elective Municipal Office, adopted in 2005
- \* Resolution 08-397, Pay-to-Play, adopted in 2008
- \* Monmouth County Employee Guide to Policies

In the event that there is a conflict between this policy and any collective negotiations agreement, the terms and conditions of the agreement shall prevail with respect to the employees covered by that agreement. Employees of Constitutional Offices will be governed by the specific policies and procedures set forth by their Constitutional Officer.

## POLICY

### *Ethical Standards:*

- No employees nor members of their immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of their duties in the public interest.
- Employees shall not act in their official capacity in any matter where they, a member of their immediate family, or any business organization in which they have an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair their objectivity or independence or judgment.
- Employees shall not use or attempt to use their official position to secure unwarranted privileges or advantages for themselves or others.

## Code of Ethics and Professional Conduct Policy

- Employees shall not undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice their independence of judgment in the exercise of their official duties.
- No employees, members of their immediate family, nor any business organization in which they have an interest, shall solicit or accept any gift or gratuity, favor, political contribution, service, promise of future employment, or other items.
- Employees shall not use, nor allow to be used, their public office or employment, or any information not generally available to the members of the public, which they received or acquired in the course of and by reason of their office or employment, for the purpose of securing financial gain for themselves, any member of their immediate family, or any business organization with which they are associated.
- No employees, nor any business organization in which they have an interest, shall represent any person or party other than the County in connection with any cause, proceeding, application or other matter pending before any agency in the County of Monmouth in which they serve.
- Employees shall not engage in any unauthorized disclosure of confidential County information.
- Nothing shall prohibit any employees of Monmouth County, nor members of their immediate family, from representing themselves in negotiation or proceedings concerning their own interests.
- No employees, members of their immediate family, nor any business organization in which they have an interest, shall knowingly undertake or execute, in whole or in part, any contract, agreement, sale or purchase made, entered into, awarded or granted by the County or agency thereof, unless such contract, agreement, purchase or sale was made after public notice and competitive bidding. The provisions of this section shall not apply to purchases, contracts, or agreements which by law are not required to be made, negotiated or awarded with public advertising, or bids of such purchases, contracts, or agreements which have received a prior advisory opinion from County Counsel.
- No employees, members of their immediate family, nor any business organization in which they have an interest, shall request, use or permit the use of any public property, vehicle, equipment, labor or service for personal convenience or the private advantage of themselves or any other person.
- Employees shall not accept payment from a non-County source in return for doing a County job or communicating with another public agency on behalf of the County.
- Employees may not cause, try to cause, or help another public servant violate these rules or any County policy or standard.

# Code of Ethics and Professional Conduct Policy

- Employees shall not abuse, neglect, waste or misappropriate County property. All employees are responsible for the proper care of any tools, equipment, materials, vehicles, or records assigned for the performance of their jobs. No tools, equipment or materials may be taken from the worksite for any purpose unless specifically authorized by the employee's supervisor. No tools, equipment, materials or vehicles shall be used for any purpose other than authorized work-related activities.
- Employees must provide service to the County at all times while in a paid status. All employees shall give undivided attention to the duties of their jobs during working hours.
- For purposes of this policy, immediate family is defined as spouse or dependent child(ren). Business organization is defined as any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, or other legal entity.

## Political Activity:

Monmouth County is committed to ensuring that County residents have confidence in the integrity of County government, and that County government employees will act solely in the best interests of all County residents, free from any undue political influence or bias.

- Employees shall not engage in political activity during paid working hours, or use County offices, supplies, telephones, or other resources for other than County business.
- Employees may not knowingly solicit, accept, or receive a political contribution from any person who has, or is seeking to obtain, contractual or other business or financial relations with the County which is in violation of the County pay-to-play resolution.
- Employees shall not solicit or permit the solicitation, acceptance, or receipt of political contributions of any kind while in or on any County owned or leased building or property which is dedicated for the conduct of public business.
- Employees shall not directly or indirectly use their position to control or affect the political action of another person.
- Employees shall not be required, as a duty of employment or as a condition of promotion, to participate in or contribute funds for political or partisan purposes.
- Employees shall not coerce or compel support or contributions for political or partisan purposes from any employee of the County.
- To the extent not prohibited above, nothing in this section is intended to preclude County employees from participating in the political process, including fundraising, on their own time and off County property.
- In accordance with Federal regulations, employees who perform duties in connection with programs that are financed by federal loans or grants made by the United States or a federal agency are subject to the Hatch Act. The Hatch Act prohibits employees subject to its provisions from, among other things:

# Code of Ethics and Professional Conduct Policy

- (1) Using their official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- (2) Directly or indirectly coercing, attempting to coerce, commanding, or advising a state or local employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; and
- (3) Running as a candidate for public office in a partisan election.

## **Professional Conduct:**

Monmouth County expects all employees to conduct themselves in ways that protect the interests and safety of the County, employees, business associates and members of the public.

- **Accountability** – Every Monmouth County employee is responsible for knowing and adhering to the standards set forth in this Code and all County policies, and for raising questions if uncertain about any County policy.
- **Respect for People** – All employees deserve to work in an environment free from discrimination or harassment, where they are treated with dignity and respect. Monmouth County is committed to fostering such an environment because it brings out the full potential in each employee which, in turn, contributes directly to the County's success.
- **Respect for Property** – All Monmouth County employees should treat County property as well as the property of co-workers and other business associates, whether material or intangible, with respect and care. Employees should never misuse company equipment and should protect company facilities and other material property (e.g., company cars) from damage and vandalism, whenever possible.
- **Respect for the Public** – Monmouth County is committed to providing quality services that are respectful, compassionate, and responsive to the changing needs of the County's residents and public at large. It is important that all employees demonstrate flexibility and are proactive when dealing with changing situations and environments, as well as look to create opportunities for open and effective communication and connection with our communities, residents, and taxpayers.
- **Avoid Conflicts of Interest or Appearance of Impropriety** – It is imperative for all Monmouth County employees to avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their job duties.
- **Uphold the Law** – Monmouth County's commitment to maintaining an ethical and professional working environment begins with each employee acknowledging and complying with all federal, state, and local laws, policies and regulations when conducting any and all aspects of County business. If employees are unsure whether a contemplated action is permitted by law or in line with County policies and regulations,

## **Code of Ethics and Professional Conduct Policy**

they should immediately seek advice from their manager or Department Director. Every County employee is responsible for preventing violations of law and for reporting potential violations to Departmental Management.

### **COMPLIANCE**

The County Administrator is responsible for ensuring the Code of Ethics and Professional Conduct Policy is adhered to by all employees. Department Directors are responsible for implementing these standards in their respective Department. Acknowledgement of this policy will be required annually to ensure that every employee has read and understands the Code of Ethics and Professional Conduct Policy.

Employees who have reason to believe that an employee, business relation or official has violated or intends to violate any law, regulation or provision of this policy is required to report their concerns to their Department Director, Human Resources or the County Administrator as soon as possible. Every effort will be taken to ensure confidentiality. Failure to disclose a violation of this policy is in itself a violation. Employees who ignore or do not comply with the Code of Ethics and Professional Conduct Policy may be subject to disciplinary action, up to and including termination of employment.