

| | | |
|---|--|--|
|  <p>THE CITY OF DULUTH MINNESOTA</p> <p>Policy & Procedure</p> | EMPLOYEE CONDUCT | |
| | Supersedes: December 17, 2012 | Date Approved: February 6, 2013 |
| | Approved:  | Page 1 of 3 |

The following Employee Conduct Policy is established to assure integrity and trust in all dealings of City employees relating to City business.

Gifts and Gratuities

Employees shall not accept any gift prohibited by Minnesota Statutes, Section 471.894. This law prohibits acceptance of gifts from any person who has a direct financial interest in a decision that a City official is authorized to make. The only exceptions to this prohibition are as follows:

- 1) campaign contributions;
- 2) services to assist an official in the performance of official duties;
- 3) services of insignificant monetary value;
- 4) plaques or similar mementoes recognizing individual services in a field of specialty or to a charitable cause;
- 5) a trinket or memento of insignificant value;
- 6) informational material of unexceptional value;
- 7) food or beverage given at a reception, meal, or meeting away from the recipient's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program;
- 8) gifts given because of the recipient's membership in a group, a majority of whose members are not local officials, and an equivalent gift is given to other members of the group;
- 9) gifts given by an interested person who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family.

Gifts of greater than nominal value provided to employees in situations where they have been on official assignment of the City (defined as having had expenses paid by the City or having been on official City business) shall become the property of the City, and not the employee.

| | | |
|---|--|--|
|  <p>THE CITY OF DULUTH MINNESOTA</p> <p>Policy & Procedure</p> | EMPLOYEE CONDUCT | |
| | Supersedes: December 17, 2012 | Date Approved: February 6, 2013 |
| | Approved:  | Page 2 of 3 |

Service on Boards, Commissions, and Community Organizations

City employees are encouraged to serve their communities on boards and commissions or in other advisory capacities, and as members of community organizations, subject to the following limitations:

- 1) Employees should serve only in a non-voting capacity on the governing agency of a company which provides products or services to the City, when their position with the City allows them to exercise an influence on the awarding of contracts for goods or services.
- 2) Professional staff from the Attorney’s Office should not serve on City Boards or commissions which have quasi-judicial responsibilities (such as the power to suspend or revoke licenses) because of the conflict which may occur when another professional staff member is assigned as an advocate for the City before such board.
- 3) Supervisory level employees serving on a board, commission or other community organization should abstain from involvement when that agency is considering taking a position on a matter on which the City Administration has or will be taking a position. This limitation shall not apply to employees serving on the City of Duluth Charter Commission.
- 4) Employees may not be members of City Authorities or of boards or commissions which are advisory to the City Council, unless the ordinance creating the board or commission provides for their membership on an ex-officio basis. This limitation shall not apply to employees serving on the City of Duluth Charter Commission. Membership on other governmental governing bodies is acceptable (WLSSD - SPAD - DECC).

Other Employment

Employees shall not accept or maintain employment with another employer while working with the City when the following can occur:

- 1) A conflict occurs when the employee has the opportunity to affect the outcome of City decisions which may directly or indirectly benefit their other employment.
- 2) The additional employment interferes in any way with the employee’s ability to perform the full duties of their present position in the City.
- 3) It is the responsibility of the supervisor, after consultation with the employee, to determine when another work situation interferes with the ability to function effectively.

| | | |
|---|--|--|
|  <p>THE CITY OF DULUTH MINNESOTA</p> <p>Policy & Procedure</p> | EMPLOYEE CONDUCT | |
| | Supersedes: December 17, 2012 | Date Approved: February 6, 2013 |
| | Approved:  | Page 3 of 3 |

Government Data Use

It is the responsibility of City employees to assure the proper, secure and confidential, use of government data. Employees are prohibited from using private or confidential data obtained through their position to benefit their private interests.

Financial Interests

Employees may not have either direct or indirect financial interest of consequence in any business that supplies materials or services to the City of Duluth. Financial interest in this definition also extends to immediate family members of the employee when the employee or immediate family member could benefit from their involvement. “Financial interest” shall mean any interest which shall yield, directly or indirectly, a monetary or other material benefit to the employee, his spouse, or immediate family member.

Use of City Equipment and Materials

- 1) Employees of the City shall not use city time, equipment, supplies, buildings or other property for anything other than official City business, unless such use is permitted under a collective bargaining agreement.
- 2) Employees shall not borrow City-owned or leased equipment to be used for home business or personal use.
- 3) Employees may not use for personal travel reduced-rate or free airline tickets which are received by an employee as a result of travel paid for with City funds. However, if the ticket or voucher is nontransferable, and the employee is not able to use the same for City business before its expiration, it may be used for personal travel.

Employee Presentations to City Council

Unless an employee is authorized to speak for the Administration in making a presentation to the Council, such employee shall make it clear that he/she is speaking as an individual on the matter.