



Ethics Week Highlights at the City of Dallas: Responsive Programs and Employee Recognitions

The first annual Ethics Week put on by the Inspector General Division and City Manager's Office Ethics Office boasted great engagement and gave us a chance to celebrate the achievements of 20 colleagues who exemplify the values of ethics for the city.

The week started off with 78 people competing in Ethics Jeopardy on Teams. The next day, great questions were asked during the "Ask an IG" lunchtime Teams meeting resulting in the development of additional training for holidays gifts and events (see below). Wednesday included a lunch and learn on the general topic of gifts.

Thursday was in person at City Hall and included remarks from Councilmember Willis, TC Broadnax, Liz Cedillo-Pereira, Tammy Palomino, and Bart Bevers. The highlight of that event was the interview of the essay contest winner Daniel Halter with TC about the winning essay (Access Photos Here). Friday, the winning essays were read online so all could share in these great stories.

(See winners and photos on page 2)

Avoiding the Naughty List: A Can-Do Guide to Holiday Fun at the City of Dallas

Here is some positive guidance on celebrating the holidays with good cheer and good ethics! What is in focus are office parties and gifts that are allowable under the Code of Ethics. Note that these are only guidelines to help you understand what is allowable, but as always, you can reach out to the IGD for an advisory opinion that addresses a specific plan with specified facts. With that in mind, I'll address three big issues: funding, gifts, and parties.

Funding: To begin, there are two ways of funding holiday cheer: (1) using your own funds or (2) other people's money (OPM). If you use your own funds, things get much simpler. However, if you want to use OPM such as city funds or donations from outside sources, a whole new set of concerns come into play that we must consider.

The first source of OPM is the city budget. In general, a city can provide holiday gifts and even sponsor parties for its employees if the - (continued page 3).



If you are motivated by reading these exciting developments, stay tuned as more is to come each month. Things to look forward to include an essay contest, an ethics and equity week, and opportunities to dig deeper into certain topics through training events. **Baron Eliason**, and the CMO ethics officer **Hai Tran**, would love to hear from you about ethics in the city. Also, feel free to request a special training event in your department on any part of the Code of Ethics by contacting baron.eliason@dallas.gov.

ETHICS MATTERS



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Congratulations to all the winners and achievers from last month's Ethics Week!

Ethics Essay Contest Winners

- 1st place – Daniel Halter, Water Utilities
- 2nd place – Joshua McConnell, Development Services
- 3rd place – David McBride, Park and Recreation
- 4th place – Joseph Cook, Community Care
- 5th place – Cedric Secoundiata, Code Compliance

Inspector General Name the Hotline Contest Winner
Development Services Department

Jeopardy Ethics Interactive Winner
Amber Robles, Department of MCC

Ethics Achievement Award Winners

- Kerry Steele, Convention and Event Services
- Audrey Erwin, Budget & Management Services
- Paul Ramon, Dallas Animal Services
- James Chung, Dallas Animal Services
- Shannon Miller, Dallas Animal Services
- Felix Sledge, Dallas Animal Services
- Rosa Pecina, Code Compliance
- Ariel Wallace, Communications, Outreach & Marketing
- Linsey Lee, Communications, Outreach & Marketing
- Sunday Odiyeye, Aviation
- Dustin Kinsey, Aviation
- Sandra Donehoo, Public Works
- Ruth Copeland, 311



Take a break and play **Catch the Canary** each week - its a mystery game that comes straight to your email, takes less than two minutes to play, and teaches ethics!

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Blow the Whistle! Our confidential hotline for reporting violations of the Code of Ethics is called the Whistle. The Code requires us to report violations when we see them. Call 877.860.1061 or use the QR code.





continued from page one - city determines there is a public purpose for doing so. Generally, a city cannot “grant public money or thing of value ... to any individual” unless it is for a public purpose. City council determines what qualifies as a public purpose.

Another common source of OPM is to fundraise or seek donations. In general, donations to the city should be encouraged, but persons and entities making donations should not expect any reward, reciprocal benefit, or influence. A city employee shall not solicit, accept, or agree to accept any donation to the city of money, real estate, products, or services that reasonably tends to influence or reward official conduct; or that the city employee knows is intended to influence or reward the discharge of official duties.

It is critical that potential donors are not currently seeking anything, such as a contract award, from the department. Additionally, it would be critical that there be no indications that any of the potential donors are attempting to influence or reward any official conduct by any

department official or employee and that the donors do not expect anything in return for their donation.

A third source of OPM is employee donations. There is no prohibition in the Code against city employees voluntarily donating money to a department for an event. Employees must not donate to influence or reward any official conduct by the department in return for their donations. Any solicitation of employees for donations must conform with Administrative Directive 2.06.

All donations made to a department must be documented to facilitate audits of donations. Further, all donations must be managed in conformance with the city’s budget and accounting systems. Budget & Management Services is responsible for providing cash management advice and analysis to all departments in the city. The city controller has issued an administrative directive with specific guidance and rules regarding the handling of cash that must be followed for any cash donations.



Safe harbor Anyone? Jimmy Buffet wrote his classic tune Cheeseburger in Paradise after sailing some stormy seas and making port. You may not be a sailor but if you are confused about whether the Code of Ethics prohibits an action you want to take, it can feel like a storm! Ask for an advisory opinion - its your safe harbor for getting free, confidential, authoritative advice. Email: ATTethicsadvisoryinquiries@dallas.gov

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Generally, city employees receiving donations to the city must report the donations to the city secretary and the city manager on a form provided by the city manager. Donations of a monetary value of \$1,000 or less, however, are not required to be reported, except that a city employee must report donations from a single source in a single year with a cumulative value of \$1,000 or more. The individual or department that receives the donation is responsible for ensuring the donation is properly reported.

A final source of OPM is charging for tickets.

There is no prohibition against charging guests of the department employees for a ticket to a holiday event.

As with city budget funds, money donated by donors and collected by ticket sales for a department event can only be expended for a public purpose. The Attorney General's Office (AG) has already found that increasing employee morale or productivity is a valid public purpose. The AG has also determined that paying for a holiday party is an acceptable public purpose if the goal of the party is to boost employee morale.

Therefore, use of city funds or funds raised by donation or ticket sales are allowed if the intention for the department event is to improve employee morale and to recognize the employees' efforts over the past year. So long as the guests of department employees will pay for his or her own ticket, the city will not be giving anything of value to the department guests.

Gifts: The golden rule is that gifts are not allowed so long as they do not reasonably tend to influence or reward official conduct; or if we know the gift is intended to influence or reward the discharge of our official duties. The second rule follows quite naturally in that a city must make sure that the value of the holiday gifts is under \$50 per gift and that the gift is not cash, a cash equivalent (gift card) or negotiable instrument. This second rule is true both in the Code of Ethics and the Penal Code. In the context of office parties and the like, this means we should stick with non-cash items with a value of less than \$50.

Did you know??? The Code of Ethics prohibits us from supervising relatives. The Personnel code goes even farther to say a relative may not be in our line of supervision. Check out sections 12A-16 and 34-5(d) of the city Code to learn more.

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Office Parties:

Decorating is allowable in holiday themes so long as the religious aspects of the display are not promoting a specific religious belief and is not the dominant theme of the display. A city needs to determine two issues in order to decorate with holiday lights, decorations, and displays.

First, the city, as it does with all expenditures of public funds, must determine the public purpose and clear public benefits for decorating the city hall during the holidays. Second, a city needs to make sure that its holiday lights, decorations, and displays do not contain a religious aspect that would have the effect of endorsing a particular religious belief in violation of the Establishment Clause of the United States Constitution.

The United States Supreme Court has ruled on many cases concerning holiday displays and the Establishment Clause. Though these cases are very fact-specific, there is a central guiding principle that a city should use to determine if its holiday display will pass muster. If a city has any religious components in a holiday display or

decoration, it should determine if the religious components have the effect of endorsing religious beliefs in the context of the display as a whole? A city could have a holiday display that contains a Christmas tree, a menorah, a Nativity Scene, Santa Claus and a snowman, as long as the religious aspects of the display are not promoting a specific religious belief and is not the dominant theme of the display.

Guests attending holiday office parties is not addressed in the Code and is allowable. Where the guest's attendance is paid for by the city, the AG has found that the inclusion of a single guest for each employee to the holiday party paid for by the city is acceptable if it is determined that the goal of boosting employee morale and providing recognition to employees will be accomplished.

Do not forget, you can get help in your specific case by seeking an advisory opinion by asking for a confidential advisory opinion at this email: ATTethicsadvisoryinquires@dallas.gov.

ETHICS MISCONDUCT? DRAFT

 Call the Tip Line at 877-860-1061

Report Ethical Misconduct, Fraud, Waste, Abuse, and Corruption



Report a Violation to the Inspector General

 Confidential and Independent

Charter Chatter: "No city official or employee shall have any financial interest, direct or indirect, in any contract with the city, or be financially interested, directly or indirectly, in the sale to the city of any land, materials, supplies or services, except on behalf of the city as a city official or employee...." Chapter 22, section 11.