



Plain-Language Guide to the CITY OF DALLAS CODE OF ETHICS

Introduction



Ethics Matter. They matter because the public's trust in the city depends on city business being conducted solely for the benefit of the public, and not for the benefit of city officials and employees. They matter because a violation of the code of ethics could result in your termination or even subject you to a criminal prosecution. They matter because ethical behavior is just the right thing to do.

But what are ethics? In this pamphlet, we are going to describe the specific ethical behaviors that are required from you and give examples of behavior that violates the code of ethics (Dallas City Code Chapter 12A). But note that this pamphlet is only a summary of some of the rules of the code of ethics. Always check the code of ethics itself for specific details, including exceptions to the general rules described in this pamphlet. The examples provided in this pamphlet are not an exhaustive listing of every violation of the code of ethics. When in doubt, always ask for guidance. That's why this pamphlet also gives you information on where to go to get answers.

Purpose Statement



The purpose statement in the code of ethics contains several guiding principles that are the basis for every ethics rule. The first is that city officials

and employees must be independent, impartial, and responsible only to the people of the city. The second is that decisions and policy must be made using proper procedures of the city. The third is that city officials and employees must not engage in any activity that would conflict with properly carrying out their duties. The fourth is that your public position must not be used for personal gain.

When reviewing your actions in relation to the principles, use the newspaper test. If you would be embarrassed to have your actions described on the front page of the newspaper, then you should check the code of ethics. You would be ashamed of these headlines: "City Employee Awards Contract to His Brother's Company," "City Official Accepts Valuable Gift from Business Seeking Approval From the City," and "City Employee Uses City Truck for Personal Business." These actions violate the principles of the code of ethics, and therefore they violate specific rules of the code of ethics.

Now let's look at the specific rules of the code of ethics.

Economic Interests



A city official or employee cannot take any action that would affect the financial interests of themselves, their clients, their outside employers, or any business that the city official has a relationship with. For example, you cannot approve a city project that would affect the value of real estate that you own.

In addition, a city official or employee cannot take any action that would affect the financial interests of family members, domestic partners, or businesses that family members have relationships with. Thus, you cannot award a contract to a company that is owned by your family member.

Unfair Advancement Of Private Interests



A city official or employee cannot give anyone a special benefit that is not available to the public in general. This means that you cannot get your friend a waiver from an ordinance requirement if that waiver is not available to the public.

Several rules prohibit city officials and employees from acquiring an interest in city actions. Thus, a city official or employee cannot acquire a financial or other interest in a matter that will be affected by a pending city action. A city official or employee also cannot acquire a financial or other interest in a matter that was affected by a city action for one year after the action. And a city official or employee cannot agree that an action by the city official or employee will be rewarded or reciprocated by another person. For example, you cannot buy a piece of real estate that you know the city is in the process of acquiring by eminent domain.

Nepotism



City officials or employees cannot take action to influence the hiring by the city of a family member or domestic partner. City officials cannot appoint family members or domestic partners to quasi-judicial city boards or commissions. City officials or employees cannot supervise family members or domestic partners. These rules prohibit you from recommending that another city department hire your family member. These rules also prohibit you from being the supervisor of your family member who also works at the city.

Gifts



City officials and employees cannot accept any gift that influences or rewards city decisions or any gift that is given with the intent to influence or reward city decisions. Before accepting any gift, it's a good idea to make sure the gift is not from someone who is doing business with your city department.

The Dallas City Council has adopted gift policies that further detail the types of gifts that can be accepted. These policies allow small gifts that do not influence or reward city decisions.

In addition, designated city officials and employees must report gifts with a value of \$250 or more on a financial disclosure report within 30 days after the gift is received.

Donations



Donations of money, services, products, and real estate made by citizens to the city are encouraged. But donations cannot be accepted if the donation influences or rewards city decisions or if the donation that is given with the intent to influence or reward city decisions. City departments must report donations to the city manager. Items donated must be managed in keeping with city policies.

Confidential Information



City officials and employees cannot obtain confidential information unless the information is necessary for their official duties. So, you may not access confidential police files about citizens merely to satisfy your curiosity or for personal purposes.

City officials and employees cannot release confidential information unless the release of confidential information is authorized by law. This means that you cannot gossip with your neighbors or family members about the confidential information you heard at work.

City officials and employees cannot disclose the discussions that take place in closed meetings.

Representation of Private Interests



City officials and employees cannot be paid to represent citizens before the city. This means that you cannot be hired by a friend to represent them on their application to a city board or commission.

City officials and employees cannot represent someone before a city board or commission that they work with, even if the city official or employee is not being paid for the representation.

City officials and employees cannot tell someone that they can improperly influence city decisions. Don't tell your friends that you can make something happen at city hall that is not allowed by existing city ordinances and policies.



City officials and employees generally cannot represent parties in litigation against the city, although there are some exceptions.

Conflicting Outside Employment



City officials and employees cannot have outside employment that would impair the city official's or employee's independence of judgment or the performance of duties at the city. As you would expect, you cannot work for a company that requires you to work at the same time that you are working for the city.

City officials and employees cannot provide services for compensation to a person or entity that is requesting an approval or is under investigation by the city official's or employee's department. For example, a city employee cannot process an application submitted to the employee's department by the employee's outside employer.

Public Property And Resources



City officials and employees cannot use city facilities, personnel, equipment, or supplies for private purposes. This means that you cannot use city vehicles to run personal errands or take city supplies to use at your home.

If a city official or employee applies for an incentive offered by the city, it must be available to the public, the application must be evaluated under the same criteria that apply to the general public, and it must be subject to the same terms and conditions that apply to the general public.

Political Activity



City officials and employees cannot induce or attempt to induce staff to participate, or refrain from participating, in political activity.

City officials and employees cannot be paid to campaign for a ballot item if the city official or employee helped develop the ballot item.

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City officials and employees cannot put campaign stickers on city vehicles.

City employees cannot use the prestige of their position with the city on behalf of a candidate. For example, you cannot allow a political campaign to list you, along with your city title, as a supporter of the candidate. There is a similar rule for city officials, with some exceptions.

Actions of Others



A city official or employee cannot assist someone or use another person to violate the code of ethics. For example, you cannot ask a co-worker to do something on your behalf that you would not be allowed to do.

Anyone who becomes aware of a violation of the code of ethics is required to report the violation. You can report a violation to your supervisor, the City Secretary, or the City Auditor's fraud, waste, and abuse hotline. Failure to report a violation is itself a violation of the code of ethics. So, if you see someone stealing city supplies, you must report that.

Prohibited Interests in Contracts



City officials and employees cannot have a direct or indirect personal financial interest in a contract with the city. This means that you cannot be employed by the city if your spouse or domestic partner has a contract with the city.

A city official or employee, either individually or as an officer of a business, cannot submit a bid or proposal to the city or negotiate with the city on a contract.

For one year after being appointed or hired by the city, a city official or employee cannot participate in the awarding of a contract to the city official's or employee's former employer.

Former City Officials and Employees



Some rules in the code of ethics apply even after you have resigned from a city board or commission or have left employment with the city.

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Former city officials and employees cannot disclose confidential information obtained while they worked for the city nor the discussions at a closed city meeting.

Former city officials cannot represent people before their board or commission for one year after leaving the board or commission. Former city officials and employees cannot be paid to represent someone before the city for one year after leaving the city. Former city officials and employees cannot represent someone in litigation against the city if the subject matter of the litigation is something that the former city official or employee worked on while they were with the city.

Former city officials and employees cannot say that they are able to improperly influence city decisions.

Former city officials and employees cannot have a direct or indirect personal financial interest in a contract with the city for one year after leaving the city. In addition, a former city official or employee, either individually or as an officer of a business, cannot submit a bid or proposal to the city or negotiate with the city on a contract for one year after leaving the city.

Enforcement – Retaliation Prohibited



Complaints alleging a violation of the code of ethics can be filed with the City Secretary's Office. Complaints can also be made to the City Auditor's fraud, waste, and abuse hotline. The complaints may then be forwarded to the Ethics Advisory Commission. If the

City Auditor's fraud, waste, and abuse hotline. The complaints may then be forwarded to the Ethics Advisory Commission. If the Ethics Advisory Commission determines that there was a violation, it will recommend sanctions. The sanction will then be determined by the relevant city department or the civil service trial board (for employees) or by the city council (for city officials).

The possible sanctions include: (1) various levels of written reprimand, (2) referral to ethics training, (3) a lawsuit by the city to recover damages or enjoin actions, (4) referral for criminal prosecution, (5) termination of employment or removal from office, (6) voiding of actions taken by the city due to improper influence, or (7) disqualification from contracting with the city.

Don't ever hesitate to report a violation of the code of ethics. Reports of ethics violations can be made anonymously to the City Auditor's fraud, waste, and abuse hotline. The code of ethics also prohibits

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retaliation against a person who reports a violation. Remember, failure to report a violation of the code of ethics is in itself a violation of the code of ethics.

Where To Go With Questions



When in doubt about whether something complies with the code of ethics, check with your supervisor first. If you need additional guidance, contact the City of Dallas Office of Ethics and Compliance. For complex issues, city officials and employees can request an advisory opinion from the City Attorney on whether specific conduct complies with the code of ethics.

Conclusion



Ethics ensure that all city actions are taken according to approved procedures and are made for the benefit of citizens. Strict adherence to the code of ethics, both for yourself and others, creates a culture of ethics at city hall. Failure to comply with the code of ethics undermines the public's trust in city government. And violations of the code of ethics can have very serious consequences. That's why it's so important that you always comply with the code of ethics, and to report any violations that you see. Remember: Ethics Matter.

References

- Code of Ethics (Dallas City Code, Chapter 12A)
- Gift Policy for City Employees
- Gift Policy for City Councilmembers

Office of Ethics and Compliance

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Speak Up Line

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