

SAN BERNARDINO MUNICIPAL WATER DEPARTMENT

POLICIES & PROCEDURES MANUAL

CODE OF ETHICS

Date: August 24, 2021
Revision No: 3
Supersedes: July 31, 2020
First Adopted: December 15, 1992

SECTION 1. Declaration of Policy. The proper operation of the Water Department requires that its employees be independent, impartial, and responsible to the public, that governmental decisions and policy be made in the proper channels of the governmental structure, and that public office not be used for personal gain.

SECTION 2. Responsibilities of Public Employees Office. Water Department employees are bound to uphold the Constitution of the United States and the Constitution of the State of California and to carry out the laws of the nation, state, and local governmental agencies. Department employees are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their offices and/or positions regardless of personal consideration, recognizing that the public interest must be their primary concern, and that conduct in their official duties should be above reproach.

SECTION 3. Dedicated Service. Department employees should not exceed their authority or breach the law or ask others to do so and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or officially recognized confidentiality of their work.

SECTION 4. Fair and Equal Treatment. Preferential consideration of the request or petition of any individual person or group of persons shall not be given.

SECTION 5. Use of Public Property. With the exception of those employees who are expressly authorized by action of the Water Board to use Department-owned vehicles for personal convenience, no employee shall use or permit the use of Department-owned vehicles, equipment, telephones, materials or property for personal convenience or profit, except when such services are generally available for the public or are provided as Department policy for the use of such employee in the conduct of official business. No employee shall use the time of any other Department employee during working hours for personal convenience or profit.

SECTION 6. Obligations to Members of the Public. No Department employee shall, in the course of carrying out official duties, grant any special consideration, treatment, or advantage to any person beyond that which is available to every other person in the same circumstances.

SECTION 7. Conflict of Interest: General.

A. Conflict with Proper Discharge of Duties. No Water Department employee, while serving as such, shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature which is in conflict with the proper discharge of the employee's duties in the public interest and of responsibilities as prescribed by the ordinances or resolutions of the Department or of state and federal law.

B. Incompatible Employment. At the discretion of the General Manager, the Water Department's professional employees may be approved to perform outside services based on the following conditions:

1. That services for which the employee will be compensated must be performed on the employee's own time.
2. That the outside services shall not give rise to a real or apparent conflict with the Department's interests.
3. That the performance of such services shall not affect the employee's efficiency and job performance for the Department.
4. That it might bring discredit upon or reasonably cause unfavorable criticism of the Water Department or impair public confidence in the integrity of the Department.

No Department employee shall accept other employment which may either impair the employee's independence of judgment as to their official duties of the Water Department, or require or induce the disclosure, by the employee, of confidential information acquired in the course of and by reason of the employee's official duties.

C. Disclosure of Confidential Information. No Water Department employee shall willfully and knowingly disclose, for monetary gain, to any other person, confidential information acquired in the course of and by reason of official duties nor shall any employee use any such information for the purpose of monetary gain.

D. Gifts. No Department employee shall receive or agree to receive, directly or indirectly, any compensation, reward or gift from any source except the Water Department, for any service, advice, assistance, or other action related to the conduct of Department's business except as set forth herein:

1. Acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour where the arrangements are consistent with the transaction of official business, and within applicable state and/or federal guidelines.
2. Acceptance of modest entertainment, such as a meal or refreshment, in connection with attendance at widely attended gatherings sponsored by industrial, technical, or professional organizations; or in connection with attendance at public ceremonies or similar activities financed by nongovernmental sources where the employee's participation on behalf of the Water Department is the result of an invitation addressed to the employee as a representative of the Department and is approved as a part of the employee's official duties, and the entertainment accepted is related to, and in keeping with, an employee's official participation within applicable state and/or federal guidelines.

E. Reporting Suspected Misuse or Misappropriation of Department Assets. The Department is committed to protecting its revenue, property, and other assets. The Department will not tolerate any misuse or misappropriation of Department assets. The Department is committed to the highest possible standards of transparency, honesty, and accountability in all matters. Employees are required to immediately report suspected fraud or waste using one of the following methods (refer to Policy No. 21.110 - Fraud Prevention, Reporting, and Investigation):

1. Their supervisor and/or Division Director
2. Water Department Human Resources
3. The General Manager
4. City Human Resources
5. City Attorney
6. The Confidential Fraud Prevention Hotline by calling 1(800)461-9330 or accessing their website at www.convercent.com/report

Policy Review

Board Approved:

12/15/1992

Revision Board Approved:

5/8/2018

No Changes

7/2019

Minor changes GM Approved:

7/31/2020

Minor changes GM Approved:

7/2021

**CITY OF SAN BERNARDINO WATER
DEPARTMENT
CODE OF ETHICS**

I have read and understand the Water Department's Code of Ethics as adopted by Resolution No. 456 of the Water Board dated December 15, 1992, revised April 24, 2018, July 31, 2020, and July 2021.

Date

Employee's Name (Print)