



Administrative Regulations

Office of the Mayor

Title: CODE OF ETHICS

A.R. Number: 1.1 Effective Date: 2/1/2014 Page: 1 of 5

Supersedes: Code of Ethics A.R.: 1.1 DATED: 1/14/2009

I. PURPOSE

Ethics and values involve guiding principles and beliefs from which more specific policies, rules, and regulations are born. Though one's ethics are an individual matter, they form the foundation of all our interactions with others. Therefore, it is appropriate for the City of Richmond to adopt this policy; to expect City employees and officials to embrace the principles set forth herein; and, to expect representatives of the City of Richmond to conduct themselves accordingly.

The City of Richmond is obligated and responsible for ensuring that employees occupying offices or positions of trust or employment in local government meet the needs of the citizens and the community. An officer or employee must maintain the highest ethical conduct in connection with the performance of official duties. This policy sets forth the regulations prescribing standards of conduct; reporting of outside interests and other activity (direct or indirect) which would appear to be in conflict with their assigned duties and responsibilities.

II. POLICY

It is the duty of each employee and official to ensure that their conduct, in both their official and private affairs be above reproach to assure that their City position is not used for private or personal gain. Richmond citizens have a right to have complete confidence in the integrity of City employees and officials with respect to adherence to the highest ethical standards of integrity and honesty, and to treat all members of the public and fellow City employees with respect, courtesy, concern and responsiveness. Employees of the City of Richmond shall at all times maintain a high level of ethical conduct in connection with the performance of official duties. Employees are obligated to uphold the Constitution of the United States and the Constitution of the Commonwealth of Virginia and to comply with all Federal, State, and local laws and City policies.

Recognizing the special responsibilities of serving the City and its citizens and customers, City employees shall refrain from taking, ordering, or participating in any official action, which would adversely affect the confidence of the public in the integrity of the City of Richmond. It is important that all City employees remain independent, impartial, and responsible to Richmond citizens. No employee of the City of Richmond shall engage in business activity or have any direct or indirect financial interest, professional activity or incur any obligation of any nature which conflicts or would appear to conflict with the fair, impartial and objective performance of officially assigned duties and responsibilities.

III. PROCEDURE

The City of Richmond is developing a workplace environment where City employees and officials can share a sense of common values and a commitment to community service. The establishment of guidelines for expected ethical conduct by City employees is an integral part of this effort. The shared values and commitment to community service in combination with this policy helps to frame the ethical conduct expected of citizens, employees, officials, and community leaders. The guiding principles for ethical conduct are summarized below:

A. Guiding Principles

1. Focus on community defined needs, ensuring the responsible application of resources while recognizing that the resources belong to the citizens of the City of Richmond.
2. With honesty and integrity, ensure equal access to all City services.
3. In concert with the entire community, establish accessible, efficient, high quality services.
4. Respect diversity and community values.
5. Know, understand and appreciate who our customers are, externally and internally.



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6. Demonstrate a commitment to the public good and commitment beyond self.
 7. Respect the value and dignity of all individuals.
- B. Responsibilities of Employees (not limited to the following):
1. All City employees assume a public trust and should recognize the importance of high ethical standards within the specific department or organization they support. An employee shall avoid action, whether or not specifically prohibited by this administrative regulation, which might result in or create the appearance of the following:
 - a. Using public office for personal or private gain;
 - b. Giving preferential treatment to any person;
 - c. Impeding government efficiency or economy;
 - d. Losing complete independence or impartiality;
 - e. Making a government decision outside of official channels; or
 - f. Affecting adversely the confidence of the public in the integrity of government.
 2. To avoid the appearance and risk of impropriety, an employee shall not solicit or accept either directly or through the intercession of others, any gift, gratuity, favor, loan, entertainment, or other like thing of value from a person who singularly or in concert with others:
 - a. Has, or is seeking to obtain, contractual or other business or financial relations with the City of Richmond government;
 - b. Conducts operations or activities that are subject to regulation by the City of Richmond government; or
 - c. Has an interest that may be favorably affected by the performance or non-performance of the employee's official duties and responsibilities.
 3. An employee shall not solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay. This subsection does not preclude the presentation or acceptance of a voluntary gift of nominal value or cash donation in a nominal amount when given on a special, infrequent occasion such as marriage, illness, or retirement.
 4. An employee shall not receive any salary or anything of monetary value from a private source as compensation for his or her services to the City of Richmond.
 5. No employee or any member of his or her immediate household may knowingly acquire any stock, bonds, commodities, real estate or other property where the possession could unduly influence or give the appearance of unduly influencing the employee in the conduct of his or her official duties and responsibilities as an employee of the City of Richmond government.



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6. No employee or any member of his or her immediate household may acquire an interest in or operate any business or commercial enterprise which is in any way related, directly or indirectly, to the employee's official duties, or which might otherwise be involved in an official action taken or recommended by the employee, or which is any way related to matters over which the employee could wield any influence, official or otherwise.
7. An employee who is called upon to act for or behalf of the City of Richmond government in a matter relating to or involving a non-government entity in which the employee or a member of his or her immediate family has a financial interest, shall make this fact known to his or her immediate supervisor, in writing, at the earliest possible moment. The Appointing Authority shall determine whether the employee must divest of such interest or merely disqualify themselves from taking part in any official decision or action involving the matter.
8. An employee shall not use or permit the use of government property, equipment, or material of any kind, including that acquired through lease, for other than officially approved business purposes.
9. An employee shall pay each just financial obligation in a proper and timely manner.
10. An employee shall not advertise, solicit or participate, while on City of Richmond government owned or leased property or while actually on-duty, the commercial sale of goods, products or services not related to their job, in any gambling activity, including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in purchasing or selling a numbers slip or ticket, except those lawful activities sponsored by a VA State approved agency.

C. Restriction on Activities of Former Officers and Employees

Any former City of Richmond officer or employee whom had an official responsibility for the matter, shall be prohibited for one (1) year after termination or separation of employment, from knowingly providing personal and substantial assistance for remuneration of any kind to any party, in connection with any proceeding, application, case, contract, or other particular matter involving any department or agency of the City of Richmond with the intent to influence that department or agency on behalf of another person as to a particular government matter involving that party.

D. Allegation of Conflict of Interest and Perjury

1. Whenever an allegation is made to an Appointing Authority or department/agency head that a current or former City of Richmond employee has violated any of these regulations, the allegation and any supporting evidence shall be transmitted through the Department of Human Resources to the City Attorney to coordinate an investigation or administrative action.
2. When any officer or employee of the City of Richmond to whom an oath is lawfully administered on any occasion willfully swears falsely on such occasion involving any material matter or thing, such falsity shall be deemed a crime of perjury; and upon conviction of perjury, that former officer or employee having exhausted all appeals shall be barred forever from holding any office of trust or position with the City of Richmond.
3. No officer or employee of the City of Richmond shall solicit or assist in the solicitation of signatures for nominating petitions for candidates for public office in any City owned or leased building or facility.

E. Employee Acknowledgement of Receipt and Compliance

All appointed officials, department/agency heads and employees shall be required to sign a statement indicating receipt of Administrative Regulation 1.1 Code of Ethics, as revised, at the time of employment.



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V. RESPONSIBILITY

The City of Richmond values the diversity of its citizens and representatives, and respects the rights of individuals to establish their own value systems. Though this policy promotes the highest ideals of public service, it cannot claim to speak for the beliefs held by each individual representing the City of Richmond. The City of Richmond expects the conduct and behavior of its employees and officials, whether elected or appointed, paid or unpaid, advisory or administrative, to be exemplary whenever they represent the City.

This policy should serve to generally guide the conduct of representatives of the City. It is intended to provide the overarching guidelines by which the City of Richmond conducts its business and establishes its policies, rules, and regulations. Violation of specific City, or department/agency policies, rules or regulations may hold consequences for the violator. In addition to any other penalty as provided by law, employees who violate the Code of Ethics will be subject to disciplinary action, up to and including termination. The violation of this Code of Ethics by a City official, elected or appointed, constitutes official misconduct. **Any such violations and related penalties are enumerated in the appropriate documents, which are supplements to this policy. Any such violation, therefore, will also be considered a violation of this policy.**

This Title, Code of Ethics A.R. 1.1 is a statement of the City's Code of Ethics only. Nothing in this Title may be used to create a cause of action against an official or employee under this Title.

VI. DEFINITIONS

Terms	Definitions
Advisory agency	Any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.
Business	A corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation or any other individual or entity carrying on a business or profession, whether or not for profit.
Contract	Any agreement to which a government agency is a party, or any agreement on behalf of a government agency which involves the payment of money appropriated the General Assembly or political subdivision (City of Richmond, VA), whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision thereof. Contract includes a subcontract only when the contract of which it is a part is with the officer's or employee's own governmental agency. (Emphasis added).
Employee	All persons employed by a governmental or advisory agency, unless otherwise limited by the context of its use.
Immediate family	Mother, father, wife, husband, sister, brother, child, legal ward, grandparents of the employee or the employee's spouse; or any other relative of the employee or spouse who lives in the employee's household.
Transaction	Any matter considered by any government or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

VII. AUTHORITY

Code of Virginia, § 18.2-434 What deemed perjury; punishment and penalty. In situations where this policy is more restrictive than Federal or State laws or regulations, the Federal or State laws or regulations will prevail.



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VIII. REGULATION UPDATE

The Department of Human Resources shall be responsible for modifications to this Policy.

RECOMMEND APPROVAL: /Original signed copy on file in HR/

Byron C. Marshall, CHIEF ADMINISTRATIVE OFFICER

APPROVED:

/Original signed copy on file in HR/

Dwight C. Jones, MAYOR