

**SECTION 24. HUMAN RESOURCES**

**24.1 CODE OF ETHICS FOR COUNTY EMPLOYEES**

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**Code of Ethics for County Employees****101.0 Ethical Standards****Policy:**

Employees shall comply with the requirements set forth in the Code of Ethics for Public Officers and Employees established in Chapter 112, Florida Statutes, and the Code of Ethics established in Chapter 74 of the Seminole County Code of Ordinances. The following Code of Ethics for County Employees establishes specific standards that must be adhered to by each employee.

- (1) In fulfilling their responsibilities, employees shall always use their positions of authority with fairness and honesty, as to avoid preferential treatment to any person, contractor or vendor.
- (2) Employees must use the powers and resources of the County entrusted to them to support and implement the policies and programs adopted by the elected Board of County Commissioners and implemented by the County Manager.
- (3) Employees shall be committed to being educated on a regular basis as to their ethical obligations.
- (4) Employees shall not use their position of public trust in seeking personal gain for themselves, family members or other individuals.
- (5) Employees shall operate with transparency, and without undue influence that could impair their impartiality in the performance of their public responsibilities.
- (6) Employees shall avoid any conduct that might undermine the public trust, by making objective, fair, and impartial decisions.
- (7) Employees shall avoid conduct and speech that interferes with good order and discipline. Employees shall treat each other and the public with the utmost courtesy and respect, and refrain from making any derogatory or demeaning remarks. Employees shall avoid conduct and speech which unjustly or maliciously criticizes County departments, divisions, offices, officers, employees, or the policies, programs, or actions of the County, or ridicules or interferes with the reasonable supervision or proper discipline of employees.
- (8) Employees shall not act in any manner that may discredit the County, public officials, fellow employee(s) or themselves; however, employees shall have the right to report fraud, waste or abuse. The rights of employees under “whistleblower legislation” shall be honored and respected.
- (9) Employees shall avoid personal relationships with co-workers or individuals doing business with the County that could give the appearance of favoritism, preferential treatment, personal gain, or can reasonably be expected to undermine discipline, authority or morale.



## **Code of Ethics for County Employees**

### **102.0 Seeking Guidance**

(1) If an employee is uncertain if any anticipated personal action, dealing or contractual relationship complies with Florida Statutes, the Seminole County Code of Ethics or other laws and/or regulations, he or she shall seek guidance with a complete factual background to the County Attorney's Office.

(2) The County Attorney's Office shall respond accordingly before any further action is taken by the employee.



## **Code of Ethics for County Employees**

### **103.0 Educational Requirements**

- (1) All employees with Seminole County shall receive an electronic or written copy of the Code of Ethics for County Employees.
- (2) All new employees shall be required to attend an initial ethics briefing from the County Attorney's Office.
- (3) All employees shall participate in an instructor-led refresher training every three (3) years.

**Code of Ethics for County Employees**

**104.0 Conflicting Employment or Contractual Relationship**

(1) Employees who participate in approving, recommending or preparing any part of a purchase or procurement request; influence the content of any specification or procurement standard scope of services; or render advice, serve as an evaluation and review committee member, conduct financial transactions, investigate, audit or act in any other advisory capacity in the procurement process may not be employed by or perform work for any person or entity seeking to provide or providing contractual services to the County.

(2) Employees acting in their official capacities shall not, directly or indirectly, procure contractual services for the County or substantially participate in the procurement of contractual services for the County from any business entity in which a relative, as defined by Chapter 112.312, Florida Statutes, is an officer, partner, director, or owner or in which such employee or his/her spouse, child, or any combination thereof has a material interest.

(3) Employees are responsible for disclosing to the Division Manager, through their immediate supervisor, whenever a relative, or any person with whom the employee shares a residence or maintains a personal relationship akin to that of relative, is employed by in any capacity in an organization or business entity which is being considered or has been approved to provide goods or services to Seminole County and the employee will participate in the procurement process. This participation may include decision, approval, disapproval, recommendation, or preparation of any part of a purchase request by influencing the content of any specification or procurement standard; by the rendering of advice; by investigation; by auditing or by participating in any other advisory capacity in the procurement of contractual services or commodities. Division Managers are responsible for reporting such disclosures to the Purchasing and Contracts Division Manager and Department Director.

(4) Employees shall not use or attempt to use their positions or any County property or resource entrusted to them in an effort to obtain a special privilege, gain or benefit for themselves or others.

(5) Any employee who wishes to perform “outside employment”, or continue same if a new employee (e.g., working for an employer other than the County, engaging in private or self-employment for personal gain, or rendering service to private interests for compensation) may do so only after first obtaining written approval from his/her Division Manager and Department Director. A copy of the written request with appropriate approvals shall be forwarded to the Human Resources Division and placed in the employee’s personnel file.

(6) No employee shall be permitted to perform outside employment that would violate any provision of State law or this Code, or would present a conflict of interest, real or perceived, when viewed in the context of employee’s County position. The non-existence, existence, or perception of a conflict of interest shall be determined by the County Attorney’s Office, as provided in the “Seeking Guidance” provision of this Code.



(7) Outside employment shall not interfere with the employee's effectiveness in his/her County position or impede, be inconsistent with, or adversely affect the performance of his/her County employment.

(8) No equipment, supplies, facilities, vehicles, uniforms, or other property of the County may be used by employees to pursue or engage in outside employment. This prohibition shall include any County resource regardless of whether the employee intends to reimburse the County for costs.

(9) Permission to engage in outside employment may be denied or withdrawn at any time with concurrence of the Division Manager, Department Director, Human Resources Division Manager and County Manager upon a determination that such activity is interfering with or may likely interfere with the employee's efficiency or production, causes discredit, or is in conflict with the best interests of the Department or the County.



**Code of Ethics for County Employees**

**105.0 Conflict of Interest Regarding Contracted County Work and/or Purchase of Property, Materials or Supplies Prohibited**

(1) Employees are prohibited from seeking business with or submitting bids to the County or having a material interest as defined in Section 112.312, Florida Statutes, in any entity that seeks business with or submits bids to the County.

(2) Employees and entities in which they own a material interest may bid on surplus County property. However, employees that are in the decision making approval role to declare County property as surplus, and employees who work in the Department from which the property is being declared surplus, may not bid or purchase that property.



## **Code of Ethics for County Employees**

### **106.0 Disclosure of Information**

- (1) Employees shall always comply with the Florida Public Records Law and seek guidance from the County Attorney's Office when a question arises as to the appropriateness of releasing public documents.
- (2) Employees shall not, in order to gain any personal advantage for themselves or for another, use or furnish any information to anyone which is not available to the public generally, and which was obtained as a result of County employment. This policy does not limit, hinder, or prevent the giving or using of information in performing official duties.
- (3) Confidential or legally sensitive information obtained in the course of official duties shall not be released except by those employees specifically charged with this responsibility; provided, however, the County shall comply with the laws of the State of Florida relating to access to public records.





**Code of Ethics for County Employees**

**107.0 Solicitation/Acceptance of Gifts, Gratuities, Benefits, or Things of Value**

(1) Employees shall not solicit or accept any gift, either directly or indirectly, from any person or entity doing business with, regulated by, or seeking to do business with the County, or from the agent or lobbyist of any such person or entity. Employees who are uncertain about accepting gifts should request an advisory opinion as set forth in the "Seeking Guidance" section of this Code. Employees shall not accept any gift authorized herein based upon an understanding that his/her official acts or judgment will be influenced thereby.

(2) The term "gift" means any gratuity, benefit, or any other thing which is accepted by, or given to an employee or another on the employee's behalf, either directly or indirectly, other than that provided to an employee in relation to officially approved County business, and includes by way of illustration and not limitation, the following:

- (a) Real property and/or the use thereof;
- (b) Tangible or intangible personal property (as defined in Section 192.001, Florida Statutes) and/or the use thereof;
- (c) A preferential rate or terms on a debt, loan, goods, or services that is neither a government rate available to all other similarly situated government employees or officials or a rate which is available to the public.
- (d) Forgiveness of an indebtedness;
- (e) Transportation, lodging, or parking unless on County business and the provision of same is disclosed on a travel voucher;
- (f) Food or beverage;
- (g) Membership dues;
- (h) Entrance fees, admission fees, or tickets to events, performances, or facilities;
- (i) Services provided by persons pursuant to a professional license or certificate;
- (j) Other personal services for which a fee is normally charged by the person providing the services; and
- (k) Any and all other similar goods or services having value not already provided for in this definition.

(3) The term "gift" does not include:

- (a) Salaries, benefits, services, fees, commissions, or expenses associated with the employee's employment;



(b) Contributions or expenditures reported pursuant to Chapter 106, Florida Statutes; campaign-related personal services provided without compensation by volunteers or any other contribution or expenditure by a political party;

(c) Conference travel expenses, including airfare, lodging and meals when provided by a state, regional or national organization which promotes the exchange of ideas between the government officials and employees and whose membership is primarily composed of elected and/or government officials and the conference is directly related to the employee's duties and responsibilities;

(d) An honorarium or an expense related to an honorarium event paid to individuals and/or family members provided, however, disclosure of same shall be made, in writing, to the Human Resources Division Manager;

(e) An award, plaque, certificate, or similar personalized item given in recognition of the employee's public, civic, charitable, or professional service;

(f) An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization;

(g) The lawfully permitted use of a public facility or public property for an authorized and approved public purpose;

(h) Candy, food products, or plants which are generally distributed during holidays as an act of courtesy or benevolence; provided, however, that such items shall be placed in an area which allows and encourages all employees and the public to partake of such items;

(i) Office supplies such as calendars, pens, pencils, or address books of nominal value, and which are distributed generally to employees;

(j) Discounts offered to all employees; and

(k) Door prizes awarded "by chance" at business related conferences and seminars.

#### (4) Exceptions Regarding Gifts

(a) When an employee's duties and responsibilities include attendance (such as a speaker or program participant) at business, industry or public luncheons or dinner meetings with public, industry, or business committees, organizations, or associations and these meetings are related to County business, employees may participate. When a meal is provided at the function, the employee is authorized to accept the meal.

(b) Employees authorized to attend meetings, seminars, conventions, etc., sponsored by professional organizations are free to participate in the social functions that are part of the meetings or sanctioned by the host.

(c) It may be appropriate for employees to attend social functions sponsored by an industry, business, or profession for a broad spectrum of community groups (such as legislators, businesspersons, and local officials). However, in deciding to attend such functions, employees should be careful to avoid any appearance of impropriety. Employees may attend functions or events related to their official duties when tickets are



provided to the County for distribution to the appropriate employees. Employees who have any questions as to whether attendance at a function would be considered receipt of a gift, and an ethical violation, should seek guidance from the County Attorney prior to attendance.

(5) Reporting of Gifts. Any employee receiving a gift from any individual, partnership, association, corporation, or other organization, whether public or private, doing business with or subject to regulation by the County, or the agent or lobbyist of such individual or entity, shall report the gift to his/her Division Manager.

Upon completion of such notification, the employee will be advised as to how to return the prohibited gifts. The employee will be advised on the proper handling of the received gift.



## Code of Ethics for County Employees

### 108.0 Bribery

(1) An attempt to bribe an employee is a flagrant attack on the integrity of the County. A bribery attempt occurs when an offer is made to give anything of value to an employee with the intention that the employee will do something or fail to do something relating to the performance of the employee's duties. Whether the action or inaction would have taken place anyway is not pertinent to whether a bribery attempt has occurred.

(2) Bribe offers are often made subtly rather than in direct fashion. Employees must be perceptive and alert to solicitations to accept gifts of money or anything else of value in return for acts or omissions involving their official functions and shall promptly report suspicious offers in order that trained personnel can evaluate the facts and initiate investigations when required. Any employee who has reasonable grounds for believing that a bribe attempt has occurred or will occur shall:

(a) Immediately report the matter to his/her appropriate Division Manager or Department Director and/or County Manager and the County Attorney; and

(b) Cooperate fully in any investigations conducted by County staff, the Office of the State Attorney, and any law enforcement agencies.

(c) Employees who fail to cooperate in investigations shall be subject to disciplinary actions.



## Code of Ethics for County Employees

### 109.0 Additional Ethical Conduct Requirements for Employees with Regulatory Responsibilities

(1) The following definitions shall apply for the purposes of this Section:

(a) The term "regulatory responsibilities" means duties or responsibilities assigned to an employee by management within the County which involve:

(i) The direct responsibility for determination of whether or not an entity or the property of an entity is in compliance with Federal, State or local statutes, laws, rules, or regulations, or for determinations or recommendations as to whether any license, authority to conduct business, or other certificate of authority issuable by the County should be issued to an entity, be revoked, be canceled, or be suspended; or

(ii) Direct responsibility for the approval of purchases by the County from an entity.

(b) The term "entity" for the purposes of this Section means any individual, partnership, association, corporation (profit or non-profit), utility, or other organization, whether public or private, doing business with or subject to regulation by the County.

(2) Each employee exercising regulatory responsibility shall, within five (5) working days of making application for employment with a person or entities doing business with or subject to the regulation by the County, report to his/her Department Director or Division Manager, in writing, that such application has been made. The term "application" means a verbal or written communication whereby an employee holds himself or herself out as available for employment or for a contractual relationship for remuneration.

(3) Each employee exercising regulatory responsibility who receives an offer of employment or an offer for a contractual relationship for remuneration from any person or entity shall report such offer, in writing, to his/her Division Manager or Department Director within five (5) days of receipt of such offer. The term "offer" means a verbal or written communication in which a person or entity states an interest in retaining or employing the individual.

(4) Any employee exercising regulatory responsibility who has or who obtains a financial interest in an entity shall report such fact to the appropriate Department Director or Division Manager within five (5) working days of the acquisition of such financial interest. The term "financial interest", for the purpose of this Section, means any arrangement whereby an employee acquires an ownership or material interest, or the right to acquire an ownership or material interest, in an entity.



## **Code of Ethics for County Employees**

### **110.0 Additional Ethical Conduct Requirements for Reporting Individuals and Procurement Employees**

(1) As used in this Section:

(a) The term "reporting individual" means any employee who is required by law, pursuant to Section 112.3145, Florida Statutes, to file full or limited public disclosure of his/her financial interests (financial disclosure).

(b) The term "procurement employee" means any employee who participates through decision, approval, disapproval, recommendation, evaluation, or preparation of any part of a purchase request by influencing the content of any specification or procurement standard or scope of services; rendering of advice; by investigation or auditing; by accepting quotes; or by participating in any other advisory capacity in the procurement of contractual services or commodities.

(2) A reporting individual or procurement employee shall report the receipt of expenses relating to any honorarium event from a political committee, from a lobbyist who lobbies the County directly or indirectly, or from the partner, firm, employer, or principal of such lobbyist.

## Code of Ethics for County Employees

### 111.0 Political Activity

(1) Employees may participate in political activities so long as such participation is not on County time or in County uniform. Political activity includes, but is not limited to, using County time to express support for a political candidate and using County resources emails or phones to solicit support for a candidate. This Section does not interfere with an employee's right to vote or engage in political activity while not on County time.

(2) If employees seek to qualify, run, and/or hold a political office, whether elected or appointed, they must first submit notification, in writing, to their Department Director, Division Manager and the Human Resources Division. The Department Director and the Human Resources Division Manager shall make a joint evaluation identifying any potential conflict of interest or potential impairment of work efficiency. The County Manager in consultation with the County Attorney's Office will make the final decision regarding whether a conflict of interest would be created. If the office sought does not constitute a conflict of interest or impair their work efficiency:

(a) The employee may request paid time off or leave without pay for campaign purposes.

(b) If elected, the employee may retain his/her position if the Human Resources Division Manager, the County Manager and the County Attorney's Office have, prior to the employee qualifying for office, determined that such election and employment does not conflict with Florida law or County policies.

(c) If the employee's request is not approved, the employee may:

- i. resign his/her position with the County; or
- ii. reject the appointment or choose not to qualify and run for office.

(3) This Section doesn't preclude public servants from performing their employment related duties connected to ballot propositions placed on the ballot by the Board of County Commissioners.



## **Code of Ethics for County Employees**

### **112.0 Promotion of Private Business**

Employees are prohibited from promoting private businesses while on County time on behalf of themselves or others. This Section does not apply to employees whose job duties include promoting economic development and tourism within Seminole County, provided such activity does not promote a business in which the employee, the employee's relative, or any person with whom the employee shares a residence or maintains a personal relationship akin to that of a relative, has a material interest as defined in Section 112.312, Florida Statutes.