

	TOWN OF PARADISE VALLEY Administrative Policy	
	Title: CODE OF CONDUCT	Policy No. AP-04.1
Policy Owner: Gina Monger, Human Resources Director		
Approved By: Andrew Ching, Town Manager		
Authorized By: <i>Chapter 4: Code of Conduct, Town Employee Handbook</i>	Revision History: None	Effective Date: 06/23/2024

1. PURPOSE

This policy will provide further guidance for the administration of the provisions as authorized by *Chapter 4: Code of Conduct* of the *Town of Paradise Valley* (hereinafter referred to as the “Town”) *Employee Handbook*.

2. POLICY

- 2.1. This policy applies to all active Town employees.
- 2.2. All employees are expected to adhere to this policy. Violations of this policy may result in disciplinary action, up to and including dismissal.
- 2.3. The Police Department (PD) may establish and maintain *PD General Orders* that further define departmental conduct requirements, in accordance with this policy and any state or federal requirements.
- 2.4. Paradise Valley Municipal Court employees are subject to the *Arizona Code of Judicial Administration, Section 1-303: Code of Conduct for Judicial Employees*. Judicial officers are subject to the *Arizona Code of Judicial Conduct, Arizona Supreme Court Rule 81*. The minimum standards provided in the *Code of Conduct for Judicial Employees* and *Arizona Code of Judicial Conduct* do not preclude the adoption of more rigorous standards. In circumstances of conflicting conduct requirements, the more stringent standard is applicable.

3. FUNDAMENTAL EXPECTATIONS

- 3.1. Employees will not engage in any conduct that, whether on or off duty, is unbecoming and detrimental to their duties, position, or the Town. Employees will treat each other and all persons respectfully, professionally, and with dignity and courtesy.
- 3.2. Employees will observe and obey all laws, lawful orders and directives, Town policies, department procedures and orders, supervisory written and oral directions, and expectations.
- 3.3. Employees will satisfactorily perform their duties as assigned and as required by local, state, and federal requirements. Employees will report any condition that may prevent them from performing the essential functions of their position to Human Resources.
- 3.4. Employees will maintain and demonstrate all licensure, credentialing, or other requirements of their position. Employees will immediately report any change in the status of any license or credential required for their position.

4. CONTACT INFORMATION

Employees will ensure that the Town has their current primary phone number, and physical and mailing addresses, and emergency contacts are current. All changes need to be promptly provided in writing to Human Resources or updated through the personnel online system, as applicable.

5. TOWN RESOURCES

5.1. Employees will not damage, abuse or lose Town resources and property entrusted to them. Other than de minimis use and explicitly authorized by Town policy, Town property and resources will not be used for personal benefit or gain.

5.2. Employees will return all Town-issued property upon separation from employment with the Town.

6. NEPOTISM

6.1. To avoid the appearance of, or actual conflict, no applicant of the Town or employee who is a relative, household member, or in a relationship with an employee, will be assigned to audit the work of the other, hired, assigned/transferred, or appointed to a lead or supervisory position or role over the other.

6.2. The Town reserves the right to determine if a conflict exists in accordance with this section. The Town will consult this section when assigning, transferring, reclassifying, or promoting employees.

6.3. Definitions of terms used in this subsection are as follows:

6.3.1. Household members. Persons residing together in a close, personal relationship.

6.3.2. Relatives. Includes parent, parent-in-law, step-parent, grandparent, child, child-in-law, step-child, grandchild, spouse or state-registered domestic partner, sibling, sibling-in law, aunt, uncle, niece, nephew, or individual closely related to the employee by blood, marriage, state-registered domestic partnership, legal adoption, or other legal obligation.

6.3.3. Relationship. A close, personal, consensual affiliation between two Town employees that is romantic or sexual in nature. A roommate or person who shares a substantial financial interest with another employee, or a person who has any other relationship of such nature that it may create a conflict of interest, or the appearance of a conflict of interest.

6.4. Employees are responsible for adhering to the provisions of this section. Employees will report any relationship, household member, or relative changes that are a real or potential conflict of this policy to their department director immediately to avoid any harm to the Town or its employees.

6.5. Should a conflict as defined by this policy occur, the Town will attempt to find a suitable position within the Town to which one of the affected employees may transfer to. If no position exists and is vacant, only one of the employees will be eligible to continue their employment with the Town. The other will be asked to resign from service.

6.6. The employees involved in the conflict will be given 30-calendar days' notice from the date the determination is made that the conflict cannot be accommodated to decide who is going to terminate the issue giving rise to the conflict, or voluntarily resign from service to resolve the conflict.

- 6.7. After the 30-days' notice, if the parties do not end the conflict or submit the necessary written notice resignation, the Town Manager will make a determination on the basis of operational necessity and the employees will be advised of the decision accordingly.
- 6.8. The Town Manager may authorize exceptions to this section as warranted based on the specific set of circumstances. All exceptions will be documented in the affected employee(s) personnel file.

7. POLITICAL ACTIVITY

- 7.1. The Town will not use its personnel, equipment, materials, buildings, or other resources for the purpose of influencing the outcomes of elections. The Town may distribute informational reports on a proposed bond election.
- 7.2. Employees will not use the authority of their positions to influence the vote or political activities of any subordinate employee.
- 7.3. No employee will seek election to the Town Council while still employed by the Town. No employee will solicit or distribute campaign material or campaign for any candidate during working hours and/or in a uniform or apparel that is identified with the Town government.
- 7.4. Nothing contained in this section will be construed as denying the civil and political liberties of any employee as guaranteed by the United States and Arizona Constitutions.

8. GIFTS AND GRATUITIES

- 8.1. No one seeking appointment or promotion to a Town position or appointive office will directly or indirectly give any money, service, or other item to any person in connection with their appointment, or proposed appointment.
- 8.2. No employee will accept as an individual any fee, gift, service, or other valuable item while performing the duties and responsibilities of their position other than compensation set by the Town.
- 8.3. Employees and officers may accept such items as candy, cake, cookies, flowers, plants, or other items, of nominal value which are intended to be complimentary or appreciative in nature and which would be made available for general office/department consumption or use.
- 8.4. Meals and miscellaneous travel expenses related to the conduct of Town business are exempt from this policy and subject to the provisions under separate policy(ies).
- 8.5. Department directors may approve awards given by civic groups from a bona fide award program. Such programs will be submitted to the Town Manager for approval.

9. OUTSIDE EMPLOYMENT AND BUSINESS ACTIVITIES

- 9.1. Outside employment and volunteer activities will not conflict with an employee's official duties or otherwise negatively impact an employee's ability to perform their duties as a Town employee. The Town reserves the right to determine if a conflict exists in accordance with this section.
- 9.2. The use of Town resources for outside employment and volunteerism, including de minimis use, is prohibited, except for space provided on the designated employee bulletin board. An employee will not use their position at the Town to create the opportunity for private gain. All items posted on the bulletin board are subject to review and may be removed at the Town's discretion.

- 9.3.** Peddling, solicitation, or sale for charitable or other purposes is not allowed among or by employees during business hours on Town property. Paper solicitation in designated break areas is permitted on the designated employee bulletin boards.
- 9.4.** An employee who sustains an injury or illness in connection with their outside employer is not entitled to receive worker's compensation benefits through the Town. Such injury/illness will be managed through the established policies and procedures for personal employee illnesses/injuries.
- 9.5.** Employees may engage in employment or business activities other than their job with the Town under the following conditions:
- 9.5.1.** The outside employment/business activity does not constitute a conflict of interest, or the appearance of a conflict of interest, with Town duties and responsibilities.
- 9.5.2.** The outside employment/business activity does not conflict with Town duties and responsibilities, working hours, assignments, or emergency assignments. The number of hours worked at outside employment may be restricted and will be in accordance with any departmental work rules.
- 9.5.3.** Employees must obtain the prior written permission of their department director:
- 9.5.3.1.** To engage in regular (scheduled or intermittent) employment, including operating a personal business, other than their job with the Town. Department directors will deny permission only when the conditions in. above are not met.
- 9.5.3.2.** To accept or continue any outside employment while on sick leave, industrial accident leave, or Family and Medical Leave Act Leave.
- 9.5.4.** Sworn officers are subject to the requirements as set forth in the *PD General Orders*.

10. WORKPLACE VIOLENCE AND BULLYING

- 10.1.** The Town will not tolerate any act or threat of violence made in the workplace, on Town property, or by an employee while conducting Town business. The Town will respond promptly to threats, acts of violence, bullying, and acts of aggression by employees or against employees by coworkers, members of the public, or others.
- 10.2.** Violent conduct, bullying conduct, or any threat of violence, implied or direct, is prohibited. This includes conduct on Town property as well as off-site conduct, whether in person or electronic in connection with Town business or that could impact an employee's work environment, or cause harm to the Town's interest. Prohibited conduct includes but is not limited to:
- 10.2.1.** The use of force with the intent to cause harm such as physical attack, any unwanted contact such as hitting, fighting, pushing, or throwing objects.
- 10.2.2.** Behavior that diminishes the dignity of others through unlawful harassment, including harassment based on race, color, national origin, sex, religion, age, disability, gender, pregnancy, gender identity, gender expression, sexual orientation, predisposing genetic characteristics, marital status, familial status, veteran status, military status, domestic violence victim status, or criminal conviction status.
- 10.2.3.** Acts or threats, made directly or indirectly, intended to intimidate, harass, threaten, bully, coerce, or cause fear of harm; these may include physical acts (such as lunging, throwing objects) or verbal acts.

10.2.4. Acts or threats, made directly or indirectly, by oral statements, written words, electronic communications, or non-verbal means (such as notes, email, mail, text messages, social media, body language, gestures, or symbols that communicate a direct or indirect threat of physical or mental harm).

10.2.5. Stalking.

11. WEAPONS IN THE WORKPLACE

11.1. Except for sworn officers of the Town Police Department, employees are prohibited from carrying or possessing any type of firearm on Town property, regardless of whether an individual has a permit or not.

11.2. An individual may not carry, possess, or use any dangerous instrument or weapon (such as firearms, explosives, other weapons, dangerous chemicals) on any property owned or controlled by the Town without appropriate Town authorization. Lawful possession of a firearm from a valid, approved telecommute location is permitted; however, the worktime carrying or use of such firearm(s) is prohibited.

11.3. Personal protective items, such as pepper spray or mace, may be carried while coming and going from work. However, they must be safely stored in a locker or office while working. The items may not be carried during work hours and must be removed from the building when the employee leaves work. Employees may carry the items while on a Town work trip.