


Last Reviewed: 2/7/2022 Effective: 4/21/2017, 02/07/2022 Revised: 07/7/2021, 02/07/2022 Primary Approver(s): City Manager	 <p>City of PORTSMOUTH New Hampshire</p>	Page: 1 of 7
TITLE: <i>Standards of Conduct and Code of Ethics Policy</i>		

STANDARDS OF CONDUCT AND CODE OF ETHICS

1 PURPOSE

The City of Portsmouth provides essential services upon which individuals and businesses rely daily. The successful delivery of those services requires your best efforts as an employee. Consequently, your reliability, your ability to interact respectfully and successfully with your co-workers and the public, and your attention to your employment duties are critically important. You are expected to meet a high standard of performance and conduct in the completion of your employment responsibilities. Failure to meet this high standard is cause for concern, discipline, and possible discharge.

2 POLICY

To meet the high standard of performance and conduct the City expects this policy provides both general and specific guidance to help you succeed and to promote consistency in expectations.

Generally, employees are expected to maintain common standards of honesty and decency. Employees should take responsibility for their actions and behave courteously and professionally to co-workers and the public in a manner that fosters good working relationships and trust and reflects positively on the City.

To provide additional guidance the following specific areas of conduct are called out for attention below. In addition, the City has adopted detailed, specific policies concerning some areas of conduct and those more specific policies will govern.

A. Absenteeism, Tardiness and Attendance: Attendance is an essential aspect of every position. Tardiness and absenteeism adversely affect the efficiency and service level of City departments.

- Absence and lateness without good reason; failing to call in when absent; overstaying allotted break time; leaving the work area or work early without permission; misuse of any leave of absence; and excessive or unexcused absences are grounds for disciplinary action.
- Absences may be considered unexcused if the employee fails to call in, gives a late notice, or fails to give advance notice for an absence which could be

Last Reviewed: 2/7/2022
Effective: 4/21/2017,
02/07/2022
Revised: 07/7/2021, 02/07/2022
Primary Approver(s): City
Manager

City of
PORTSMOUTH
New Hampshire

Page: 2 of 7

TITLE: *Standards of Conduct and Code of Ethics Policy*

anticipated. Unexcused absences, excessive tardiness and excessive absences are grounds for disciplinary action.

- In the event an employee is absent for three consecutive work days or more without prior notice or approval, and if the City determines that there is not sufficient justification for the lack of notice, then such absence is viewed as job abandonment.

B. Confidentiality and Non-Disclosure: Some employees come into contact with and handle confidential information which may include personnel and individual protected health information, privileged and confidential legal opinions, security related strategies, and personal credit card or similar confidential financial information. Employees have an obligation to keep such information secure and to follow any policies that may be in place to protect that information from disclosure.

C. Courtesy, Respect and Professional Conduct: Employees shall be courteous and respectful to the public and co-workers. Abusive and profane language and gestures, uncooperativeness, bullying, abuse or neglect of visitors, co-workers or residents are not acceptable. Gossip is to be avoided.

- Employees should treat members of the public and coworkers fairly and equally without dispensing special favors to anyone or receiving special privileges from anyone.
- Be professional and patient.
- Threatening bodily harm, intent to strike, and/or striking another may result in immediate discharge.

D. Honesty: Employees are expected to be truthful and to maintain records accurately and in accordance with the law.

- Employees shall not intentionally give false information to co-workers or the public.
- Employees shall not falsify records or otherwise engage in improper documentation, destruction, or making false statements, alterations deletions or

Last Reviewed: 2/7/2022
Effective: 4/21/2017,
02/07/2022
Revised: 07/7/2021, 02/07/2022
Primary Approver(s): City
Manager

City of
PORTSMOUTH
New Hampshire

Page: 3 of 7

TITLE: *Standards of Conduct and Code of Ethics Policy*

omission on City forms, records or reports (including time records, employment applications and medical records).

- Employees shall not make false claims for wages, benefits, insurances, leaves of absence, and/or providing false information for personal gain.

E. Drug Free Work Place: Bringing, possessing, or using alcoholic beverages or illegal drugs on City of Portsmouth property or while on the job, or being under the influence of or testing positive for these substances during working hours is prohibited and may result in immediate discharge.

F. Non-Discrimination and Anti-Harassment: See separate Non-Discrimination and Anti-Harassment Policy on this topic.


G. Political Activities: Employees shall not engage in political activity while at work or while engaging in their official duties. This includes: wearing or displaying campaign material, distributing campaign literature, soliciting contributions for any candidate, engaging in political campaign activities for any candidate, or circulating nomination papers for any elective office.

H. Safety: Maintaining a healthy workforce and ensuring the safety of every employee should be the job of each employee, regardless of assignment. All employees must comply with all safety rules and regulations. An employee should promptly report an unsafe condition or any accident to their supervisor, even in cases where there was not injury or property damage.

I. Telephone, Facsimile, Computer, E-Mail, and Copier Usage: See Acceptable Use Policy on this topic.

J. Theft or Destruction of Property: No Employee shall engage in:

- Misappropriation, concealment, or unauthorized taking or removal of property belonging to the City, an employee, customer, supplier, vendor, resident or visitor of the City.
- Unauthorized use or possession of equipment or property of the City or other individuals.

Last Reviewed: 2/7/2022 Effective: 4/21/2017, 02/07/2022 Revised: 07/7/2021, 02/07/2022 Primary Approver(s): City Manager	 <p>City of PORTSMOUTH New Hampshire</p>	Page: 4 of 7
TITLE: <i>Standards of Conduct and Code of Ethics Policy</i>		

- Malicious, negligent, or intentional destruction, damage, defacement, or willful neglect of City or another individual’s property.


K. Workplace Violence: It is the responsibility of all employees to create and maintain a work environment free of violence. Any act of violence or intimidation, including verbal or physical threats, whether explicit or implicit, threatening behavior, stalking or acts of violence is strictly prohibited at all times.

3 CONFLICT OF INTEREST

Chapter 1, Article VII of the City of Portsmouth Ordinances sets forth a Code of Ethics applicable to all City employees and City officials, elected and appointed. That Code of Ethics defines and prohibits conflicts of interest. Conflicts of interest jeopardize the confidence the public has in government and are to be avoided. Violations may result in disciplinary action up to and including termination. Below are excerpts/summaries of the provisions applicable to employees.

A. No employee shall:

- Engage in any business or transaction or shall have a financial or other private interest, direct or indirect, which is in conflict with the proper discharge of their official duties.
- Appear on behalf of private interests before any governing body or land use regulatory board of which the employee is a member or membership on which is subject to approval by the employee (subject to certain exceptions described in the ordinance).
- Represent private interests in any action or proceeding against the interests of the land use regulatory board or governing body of which the officer or employee is a member, or membership on which is subject to approval by the officer or employee in any litigation to which the City is a party.
- Accept any gift, over \$100.00 (one hundred dollars), whether in the form of service, loan, thing or promise, any other form from any person, firm or corporation which to their knowledge is interested directly or indirectly in any manner whatsoever, in business dealings with the City. The provision shall not apply to campaign contributions of \$100.00 (one hundred dollars) or less.

Last Reviewed: 2/7/2022 Effective: 4/21/2017, 02/07/2022 Revised: 07/7/2021, 02/07/2022 Primary Approver(s): City Manager	 <p>City of PORTSMOUTH New Hampshire</p>	Page: 5 of 7
TITLE: <i>Standards of Conduct and Code of Ethics Policy</i>		

- Engage in or accept private employment or render or seek services or goods for private interests when such employment or service creates a conflict with their official duties.
- Publish, divulge, disclose, or makes known in any manner or to any extent not authorized by law any information obtained in the course of employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association.


B. An employee shall publicly disclose:

- Any direct or indirect financial interest or other private interest in any legislation and who participates in discussion before or gives official opinion to the Council, shall publically disclose on the official record the nature and extent of such interest.
- Investments in Conflict with Official Duties: Any officer or employee, who holds any investment direct or indirect in any financial, business, commercial or other private entity which creates a conflict with their official duties shall publicly disclose on the official record the nature and extent of such interest.

As an important, additional note, although Chapter 1, Article VII of the City of Portsmouth sets statutory boundaries in terms of ethical behavior, each employee is expected to follow any additional ethical guidance that may be applicable to any professional licenses held as well as any additional policies specifically applicable to the employee’s role within the organization, for example those involved in purchasing have strict limitations on the acceptance of gifts from vendors. The more restrictive policy applicable to your position or the action taken shall apply.

4 REPORTING AND DISCIPLINE

Incidents may arise that are not covered by the standards of conduct which may lead to discipline, up to and including termination. The following areas, however, are expressly

Last Reviewed: 2/7/2022 Effective: 4/21/2017, 02/07/2022 Revised: 07/7/2021, 02/07/2022 Primary Approver(s): City Manager	 <p>City of PORTSMOUTH New Hampshire</p>	Page: 6 of 7
TITLE: <i>Standards of Conduct and Code of Ethics Policy</i>		

described to guide you in the recognition of certain behaviors which are clearly prohibited and which can result in disciplinary action, up to an including discharge.

Particular disciplinary action to be taken in any specific instance will depend on the review of all factors involved and the employee's past records.

5 RIGHT TO MONITOR, SEARCH AND INSPECT

The City reserves the right to search or inspect City equipment or facilities, such as vehicles, desks, phones, computers, and electronic and paper records of any type, files, lockers, computer usage or offices if there is a work-related or administrative purpose. Abuse or misuse of City equipment, facilities, supplies, or other property will be grounds for disciplinary action.