

COUNTY OF SAN DIEGO

Statement of Ethical and Legal Standards

Dear fellow County employees,



This Statement of Ethical and Legal Standards was created to serve as both a pledge and a guide for all County employees. It is our “code of ethics” and includes our Standards of Conduct and our General Principles. It is intended to guide and assist us in the actions we take and the decisions we make as public servants of the County of San Diego.

Our reputation is formed by our actions and performance — which we expect to reflect our core values and principles of integrity, stewardship and commitment. All employees are expected to be aware of, and behave in accordance with, our Statement of Ethical and Legal Standards, and to embrace our core values.

To achieve our public service goals, the County of San Diego must support an internal environment that nurtures and encourages ethical conduct. Practicing ethical and legal conduct is essential to fulfilling the County’s mission and to each employee’s individual success.

It is our duty to continually earn the public’s trust by always advancing the public interest and refraining from the pursuit of private interests. Our commitment to integrity, in our duties, and in our interactions with each other, and with our stakeholders will help us earn and maintain the public’s trust.

Ethics has always been and will always be important to the County of San Diego. Our commitment to it is written on our County seal “The noblest motive is the public good.” Thank you for making ethics and integrity an important and fundamental aspect of who we are, how we serve the public and in how we continually demonstrate that the noblest motive is the public good.

A handwritten signature in black ink that reads "Walter Ekard". The signature is written in a cursive, flowing style.

Walter F. Ekard
Chief Administrative Officer

COUNTY OF SAN DIEGO

STATEMENT OF ETHICAL AND LEGAL STANDARDS

STANDARDS OF CONDUCT

As County employees we hold positions of public trust and we all share a mutual commitment to ethics in the workplace. These *Standards of Conduct* are founded on basic principles of ethical behavior and are consistent with the County's core values and our six *General Principles*. We dedicate ourselves to upholding the highest standards of conduct in the performance of our duties by adhering to the following:

1. Workplace Conduct: The County is committed to the principle of treating each employee with respect and dignity. County employees in turn are expected to treat their customers, clients and colleagues with respect, dignity and professionalism. It is important for employees to share knowledge and information and support one another in order to be successful, individually and as a team.

- **Equal Opportunity:** The County is committed to ensuring equal opportunity in all aspects of County operations. It is the policy of the County to comply with federal, state and local laws affecting equal opportunity. Employment actions taken by County managers and supervisors shall be on the basis of job-related qualifications and merit without regard to race, religion, color, national origin, ancestry, physical or mental disability, marital status, gender, sexual orientation, age or veteran status.
(Reference: [Board of Supervisors Policy Manual, Policy No. C-17](#))
- **Discrimination and Harassment:** The County is committed to a work environment free from unlawful discrimination and harassment, including sexual, racial, religious, age, disability, or any other form of discrimination or harassment.

Unlawful sexual harassment in the workplace is defined as unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct is unwelcome or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

If County employees become aware of any form of discrimination or harassment occurring in the workplace, they must report it immediately to their manager, supervisor, or Departmental Human Resources Officer (DHRO). All credible reported incidents must be investigated promptly, and management must take appropriate action, which may include removal from County service. Employees may contact the Office of Internal Affairs to report violations of workplace conduct if they feel uncomfortable making a report with their respective department.

(Reference: [Board of Supervisors Policy Manual, Policy Nos. C-17, C-22, A-125 and DHR Policy 111](#))

2. **Drug and Alcohol Use:** The County is committed to maintaining a safe, healthy and productive work environment. It is the responsibility of all County employees to perform their public services safely, effectively and efficiently, without being adversely affected or impaired in any way by the use or presence of alcohol or drugs. The County provides assistance through employee assistance programs, on a confidential basis, for a County employee seeking help for a drug or alcohol-related problem.

(Reference: [Board of Supervisors Policy Manual, Policy No. C-25](#))

3. **Safe Work Environment:** The health and safety of County employees is and will always be a top priority at the County. Employees are expected to adhere to health and safety rules, develop and demonstrate safe work habits, follow all Departmental safety procedures and use all required personal safety protective equipment. The County's Work Safe/Stay Healthy program was developed to provide guidelines and support in this endeavor.

The County is also committed to providing a work environment free from violence and the threats of violence. It is the policy of the County that a "zero tolerance" standard shall apply to violent behavior, implied or actual, and to threats of violent behavior, from any person, that is directed at other employees or the public at a County facility or in connection with County business. In conformance with this County policy, no County employee shall engage in violent conduct or make threats of violence, implied or actual, at a County workplace or during the course and scope of performing County duties.

All threats of violence shall be taken seriously and shall not be dismissed as harmless joking. Employees who witness instances or occasions of any employee or former employee making threats or engaging in acts of violence must report such matter immediately to their managers or supervisors (or if an emergency, report the emergency in accordance with the County's emergency procedures).

(Reference: [Board of Supervisors Policy Manual, Policy No. A-121](#))

- 4. Fraud, Waste and Abuse:** The County is committed to protect against all improprieties in public programs and services. Integrity in the administration of County programs and services must exist to ensure the public's trust. It is critical that the County take whatever action is necessary to prevent and deter fraud and abuse which demonstrates a commitment to protecting the public interest in essential public programs and services.

Waste and abuse can also be considered "Improper Government Activity", which means any activity, conduct, or act by a County department, officer, or employee relating to the performance of official County functions, duties or responsibilities, and involves: (1) gross mismanagement, (2) a significant waste of funds, (3) an abuse of authority, or (4) a substantial and specific danger to public health and safety.

There shall be "zero tolerance" for fraud committed by County employees or contractors in the administration of County programs and provisions of County services. Fraud is the intentional (1) perversion of truth for the purpose of inducing another in reliance upon the falsehood to part with something valuable or to surrender a legal right, or (2) false representation of a matter of fact, whether by words or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which deceives and is intended to deceive another so that the person shall act upon it to his/her injury.

(Reference: [Board of Supervisors Policy Manual, Policy No. A-120](#) and [County of San Diego Administrative Manual, Item No. 0010-10](#))

- 5. Improper Gifts and Gratuities:** The County is committed to ensuring that all County services and operations performed by County employees are provided honestly and fairly. It is improper to accept or give the appearance of accepting any gratuity in the form of compensation, preferential treatment, entertainment, service or promise of future benefits in exchange for providing special favors, privileges, benefits or services that otherwise would not have been provided.

Additionally, when on official County travel, County employees are not authorized to accept the payment of their travel expenses from persons/companies doing or seeking to do business with the County, unless waived by the Chief Administrative Officer, when it is determined to be in the best interest of the County to do so.

(Reference: [Board of Supervisor Policy Manual, Policy No. D-7](#))

- 6. Conflict of Interest:** County employees should avoid becoming involved in activities that improperly influence their actions or job functions. This includes taking outside employment or engaging in activities where the employee's judgment could be impaired in performing his or her duties for

the County. Reporting these and other potential conflicts having to do with relatives working in the same department or relationships with clients or vendors must be disclosed so they do not compromise the employee's objectivity, accountability or judgment.

- **Outside Employment:** Employment outside of normal working hours may present a possible conflict of interest and must be reported on Disclosure Statement forms (AUD 263) periodically issued during the year. Outside employment may be approved if it is determined not to conflict or be incompatible with your County job. Each request is individually reviewed. Required employees will also complete an annual Statement of Economic Interest (Form 700).

- **Incompatible Activities:** County officers and employees are prohibited from engaging in any outside employment or activity that is incompatible with the duties of their County office. Each appointing authority of the County of San Diego is required to formulate rules for the employees under his or her jurisdiction specifying outside compensated activities that are inconsistent and incompatible with the County employees' duties. Prohibited activities include:
 - i. Any activity that involves the use for private gain or advantage of County time or facilities, including outside employment which results in receipt of frequent telephone calls or visitors by the employee while on duty at their County employment.
 - ii. Any activity which involves the use for private gain or advantage of the badge, uniform, prestige, or influence of the individual's County employment.
 - iii. Any activity which involves the receipt by the employee of money or other consideration from private parties for the performance of acts that the employee is expected to render in the regular course of duty as a County employee.
 - iv. Any activity that is in conflict with the duties and responsibilities of the employee's department.
 - v. Any payment, offer, promise or authorization to pay money or to give anything else of value (commonly referred to as a "bribe" or "kickback"), either directly or through a third party, intended to influence any act or decision of an official or employee of any governmental agency or its subdivision, including officials or employees of any foreign government or agency with which the County does business.

(Reference: Government Code Sections 1125-1127, Board of Supervisors Resolution No. 41 and Foreign Corrupt Practices Act of 1977, 15 U.S.C §§ 78dd-1, et seq.)

- 7. Confidential Information:** The County is committed to protecting the integrity, security and confidentiality of County data and information. The County has developed data classification guidelines to assist in determining the security, protection and handling protocol for different types of County data and information. The County guidelines extend to all data formats and mediums. For example, there are guidelines for verbal communication, paper documents, electronic information, the physical location and storage of data, and for data on mobile devices (e.g. laptop, PDA, Blackberries). In performance of regular duties and assignments, authorized users must be familiar with and observe the policies and procedures governing County data and information.
(Reference: [County of San Diego Administrative Manual, Item No. 0040-09-02](#))
- 8. Use of County Property:** County-owned property such as vehicles, telephones, fax or copy machines and any other tangible assets are only to be used for official County business. Employees are trusted to use County assets safely and properly. Abuse or misuse of County assets may be cause for disciplinary action.
(Reference: [County of San Diego, Employee Handbook](#))
- 9. County Information Systems:** Protecting County information systems and the data and information contained in them from unauthorized access, disclosure, damage, modification or misuse is essential. Based on best business practices, the County has established policies and procedures to protect County information systems and County telecommunication systems and to guide the acceptable use of County data and information created, accessed or stored via County information systems or through County internet service. In the performance of regular duties and assignments, authorized users must be familiar with and observe these policies and procedures.
(Reference: [County of San Diego Administrative Manual, Item Nos. 0400-001 through 0400-07](#))
- 10. Financial Stewardship:** The County is committed to the proper expenditure of County funds and the proper use of County assets and property. All employees are required to comply with all applicable federal, state and local laws, rules and regulations, and must act promptly to report and correct problems if discrepancies are discovered.
- 11. Reporting Violations:** Employees shall immediately report issues, problems, concerns or violations of the *Standards of Conduct* and Conflict of Interest and any possible fraud by departments, programs, contractors, vendors, volunteers or County employees.

The County takes reports of violations seriously and works to resolve any potential issues as quickly as possible. There are several resources to assist employees. If you have questions or concerns, talk to a supervisor, manager, or Human Resources contact. If you believe your concerns are not being properly addressed, or if you would like further guidance, you may call the Office of Internal Affairs at (619) 531-5174.

When considering reporting a violation, employees should ask themselves:

- What is the action that I perceive violates standards as outlined in the *Standards of Conduct* or *General Principles*?
- What is the action that I perceive violates any known law, rule, regulation, or policy and procedure?
- What opportunity has been given to my supervisor or manager to make them aware of and to address the issue (if appropriate)?

If you would like to report fraud, waste or abuse, you may contact the anonymous County Fraud Hotline at: (866) 549-0004.

The County Compliance Office handles compliance with Federal and State funding requirements. Employees with a related concern may call the Compliance Office at (619) 515-4246 or the Fraud Hotline. Concerns may also be reported by email to compliance.hhsa@sdcounty.ca.gov.

12. Protection Against Retaliation: No disciplinary action or retaliation shall be taken against any employee for reporting in good faith a perceived issue, problem, concern or violation. Additionally, no reprisal shall be taken against any County officer or employee who participates as a witness during the course of an investigation.

(*County of San Diego Administrative Manual, Item No. 0010-10*)

SIX GENERAL PRINCIPLES

The six *General Principles* listed below are intended to guide and assist County employees in adhering to the *Standards of Conduct* and to help all of us do the right thing.

1. Treat members of the public and fellow employees respectfully, fairly and honestly at all times.
2. Perform your duties in compliance with all federal, state and local laws, and avoid any involvement in illegal, unethical or improper conduct.
3. Conduct your official County duties in conformance with the County's policies and procedures, and in accordance with the highest standards of ethical and legal conduct.

4. Ensure that County funds and property are used with extreme care, guided by prudent judgment and good business practices.
5. Create a work environment that promotes open and honest communications, and encourages raising ethical concerns without fear of retribution or retaliation.
6. Assume responsibility for knowing, understanding and having a practical working knowledge of the laws and regulations applicable to your job.

Applicability: The *Standards of Conduct* are applicable in the performance of County business and will apply to all County employees, including temporary workers and volunteers. While the *Standards of Conduct* do not apply to County suppliers, vendors, contractors and business partners working outside of our workplace, we expect that they will familiarize themselves with our *Standards of Conduct* and support effective conduct and ethics.

In addition, the *Standards of Conduct* will apply to all appointed boards and commissions affiliated with the County of San Diego.



STATEMENT OF ETHICAL AND LEGAL STANDARDS

Employee Name: _____

Department: _____

My signature indicates that I have received and read the County's Statement of Ethical and Legal Standards. I am fully aware of my responsibilities as a County employee and agree to abide by the standards of ethical conduct as described in the County's Statement of Ethical and Legal Standards.

My signature further indicates that I was afforded the opportunity to inquire as to anything in the County's Statement of Ethical and Legal Standards that was not clear to me. The person witnessing my signature on this form is the person who made him/herself available to me for any questions that I had during my review and before my signature.

Date: _____

Employee Signature: _____

Witness Signature: _____

(Witness signature must be the department representative who explained the policy to the employee.)

(Note: File in official department personnel file)