



# Code of Ethics

November 2020



## City of Virginia Beach

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November 10, 2020

Dear Member,

High ethical standards are the hallmark of excellence in public service. As members of a quality organization, we strive to achieve these standards and to make a difference for the City of Virginia Beach.

We are challenged every day to do the right thing, so we should be guided in our performance by our organizational values. Our Code of Ethics, adopted in 1968 and updated by members, provides a framework for our standards of conduct. It is a living document that changes to meet the needs of the organization and our members.

Our Code of Ethics guides our conduct in relationships with citizens, customers, vendors/contractors, the community and one another. These principles should preserve the integrity of these relationships and assist in building trust within our organization and the community. It also helps increase awareness of key ethical issues; serves as a guide in decision-making; encourages members to seek advice and clarify where to go for assistance; and addresses misconduct and related concerns.

What does the code mean to you as a full-time, part-time or volunteer member of our organization? It is a guide to the acceptable standards of ethical behavior. It clarifies expectations and links to legal requirements, policies, directives and standard operating procedures that help set boundaries for our behavior.

This code does not prevent departments from developing additional standards and practices specific to their needs. But, departmental standards cannot conflict with the Code of Ethics or federal, state and local laws.

I believe we all want to perform exceptionally and to add value to the organization by serving our City. Our Code of Ethics sets clear expectations in helping us to achieve this.

Sincerely,

Patrick A. Duhaney  
City Manager

# Principles of Ethical Conduct

A strong ethical reputation is vital to earning and strengthening the public's trust. All of us who work for the City of Virginia Beach share a personal responsibility to protect, preserve and enhance our reputation by devoting ourselves to the highest ethical behavior while serving the public interest. We embrace that responsibility and live by the following principles:

## INTEGRITY

We act with honor, courage, fairness and truthfulness, without bias or impropriety.

## ACCOUNTABILITY

We provide quality services by holding others and ourselves to the highest standards while taking responsibility for the efficient and effective use of resources.

## RESPECT

We treat everyone with courtesy, dignity and kindness, appreciating the diversity and uniqueness of all.

## PROFESSIONALISM

We foster a culture of excellence and loyalty by our actions and through organizational, vocational and personal growth.

## CITIZENSHIP

We uphold federal, state and local laws, while embracing the Organizational Mission and Values, to protect the public interest and make our community a better place to live and work.




## *Principle 1:*

### **INTEGRITY**

We act with honor, courage, fairness and truthfulness, without bias or impropriety.

## **GUIDELINES**

- We are honest, accurate and forthright in all our dealings with coworkers and members of our community.
  - We promote trust, openness, opportunity and growth with those in the workplace and in the community.
  - We base our decisions on professional standards, not personal interests.
  - We take responsibility for ensuring that our actions do not create actual, potential or the appearance of conflicts of interest or impropriety.
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## Some Commonly Asked Questions

**Q:** Because of the nature of my work for the City, citizens often ask me to recommend a company or commercial service provider. Is it appropriate for me to provide recommendations, based upon my knowledge and experience?

**A:** No. Such recommendations made while acting in an official capacity, or by virtue of your position, improperly suggest that the City favors one individual or business over another.

**Q:** Is it permissible on my off-duty days for me to work for a private contractor that does work for the City?

**A:** Secondary employment is permissible only upon the employee's supervisor's prior written approval. It is the employee's responsibility to obtain the approval on at least an annual basis. Approval will be based upon whether the secondary employment may impair your efficiency in your City employment or create a potential conflict of interest. Generally, secondary employment with a business that does work for the City of Virginia Beach will not be approved.

**Q:** Is it ethical for me to purchase or even ask to purchase products or services at City-negotiated prices for my personal use?

**A:** No. That would bring into question the City's objectivity in making procurement decisions.

**Q:** May I accept a free lunch or some other type of gift from a vendor, client, or customer?

**A:** The State and Local Government Conflict of Interests Act contains the following prohibitions concerning gifts: Government employees may not accept a gift from any person, business, or other entity that has interests that may be substantially affected by the performance of the employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the employee's impartiality. Also, employees may not accept gifts from sources on a basis so frequent as to raise the appearance that they are using their public office for private gain. In summary, the safest course of action is to decline gifts of more than a nominal value. With respect to meals, take turns paying or, better yet, always pay for your own meal.

**Q:** My position provides me with access to confidential information not available to the general public. Are there restrictions on how I may use this information?

**A:** Use of "insider" information for personal gain, or to selectively provide competitive advantages to others, is both unethical and illegal.

**Q:** Is it permissible for me to hire a relative or close friend?

**A:** City policy and the Conflict of Interests Act prohibit the employment of relatives in a direct supervisory-subordinate relationship. Neither City policy nor the Conflict of Interests Act addresses the employment of close friends. All City employment decisions must be based solely on merit. If a close friend applies for a City position and you are authorized to make a hiring decision on your close friend's application, avoid the potential appearance of impropriety by disqualifying yourself from making the hiring decision.

## CROSS REFERENCES

Virginia Code §§ 2.2-3100 to - 3127 comprises the State and Local Government Conflict of Interests Act. The primary focus of the Act is on the financial interests of government officers and employees in transactions of, or contract with, their governmental agency. The Act also addresses the receipt of gifts by public employees, the use of confidential information not available to the general public, and the employment of relatives.

Virginia Code §§ 2.2-4367 to - 4377 comprises the Ethics in Public Contracting provisions of the Virginia Public Procurement Act. These Code sections place restrictions on government employees who make procurement decisions on behalf of the City.

City Code § 2-80 requires employees to publicly disclose their interest in land to be zoned in a zoning case before the Planning Commission or City Council.

Human Resources Policy 1.03 addresses employment in second jobs. Human Resources Policy 1.04 addresses employment of relatives.

## *Principle 2:*

### **ACCOUNTABILITY**

We provide quality services by holding others and ourselves to the highest standards while taking responsibility for the efficient and effective use of resources.

### **GUIDELINES**

- We recognize our responsibility to improve our City and our local government.
- We ensure our conduct is always in accord with the public interest and remember that City resources are for official business and not for private use.
- We protect privacy rights by safeguarding confidential information. We balance this responsibility with our obligation to be forthright and open in all activities.
- We are stewards of City resources and use them efficiently and economically.
- We encourage creativity and innovation.



## Some Commonly Asked Questions

- Q:** What are the general guidelines for the use of City resources?
- A:** We have a duty to ensure the proper stewardship of all City resources, including funds, facilities, equipment, supplies and employee work time. We should conserve City resources and use them efficiently.
- Q:** May I occasionally use my City e-mail account to send a personal message to a friend or coworker? May I occasionally use a City phone for a personal local call?
- A:** The City's network resources, including e-mail accounts, are provided for official City business and generally should not be used for personal reasons. Occasional, but not frequent, use of your City e-mail account for a personal message is permissible, as is occasional use of a City phone for a personal local call.
- Q:** If I discover that my closest friend at work has for years forged City records and stolen from the City, what should I do? What if I hardly know the thief?
- A:** If you suspect an illegal activity involving the City, its records, or its resources, you have an obligation to report it to your supervisor, City Auditor or the Police. You can also contact Human Resources for help in how to best handle the situation.

## CROSS REFERENCES

Virginia Code §§ 2.2-3700 to -3714 comprises the Freedom of Information Act. The Act guarantees public access to public meetings and public records.

Virginia Code §§ 2.2-3800 to -3809 comprises the Government Data Collection and Dissemination Practices Act. The Act restricts governmental use and dissemination of personal information.

City Code § 2-90 addresses employee use of City funds, supplies or equipment for political purposes.

Administrative Directive 2.04 contains the City's requirements on the use of computer network resources.

Administrative Directive 2.05 contains the City's requirements on the use of wireless phones.

Human Resources Policy 6.02(A) contains the City's policy concerning employees and job applicants who have been charged with or convicted of a crime. A.D. 1.16 contains the City requirements for reporting suspected fraud activities.



## *Principle 3:*

### **RESPECT**

We treat everyone with courtesy, dignity and kindness, appreciating the diversity and uniqueness of all.

## **GUIDELINES**

- We work together with citizens to create a strong community.
- We believe that people of diverse backgrounds and beliefs enrich our city and work environment.
- We respect those who may not share our background or beliefs.
- We consider all points of view when resolving conflicts and believe that the best decisions are the result of working and learning together, listening, and respecting the diversity of opinions.

### **CROSS REFERENCES**

City Code § 2-128 to -140 outlines the City's employee grievance procedure.

Administrative Directive 1.11 prohibits discrimination on the basis of disability, and Directive 1.12 contains the City's Americans with Disabilities Act (ADA) Grievance Procedures.

Human Resources Policy 6.06 contains the City's equal employment opportunity policy and complaint procedure.

Human Resources Policy 4.04 addresses employee grievances. Human Resources Policy 4.05 contains the City's open door policy.

Human Resources Policy 6.07 addresses employee performance feedback reports.





## *Principle 4:*

### **PROFESSIONALISM**

We foster a culture of excellence and loyalty by our actions and through organizational, vocational and personal growth.

### **GUIDELINES**

- As employees, we are dedicated and loyal to the organization. We conduct ourselves responsibly to maintain public trust and confidence in the performance of our professional duties.
- We are professional in our actions, words and appearance. We demonstrate professional excellence and commitment to the standards of our occupation.
- We are competent professionals, and we strive to improve through continuing education, training and research. We perform and provide service only in the areas of our competence.
- We pursue organizational, vocational and personal growth for others and ourselves.
- As representatives of the City, we foster community goodwill and support informed communication.
- We are ethical leaders and demonstrate by example the highest standards of ethical conduct.
- We seek guidance if ever in doubt about the ethical propriety of a situation.



## Some Commonly Asked Questions

**Q:** I am responsible for answering my department's phones. I receive calls from citizens who ask if they qualify for services. I have heard my supervisor's response a thousand times. May I go ahead and give the caller the same answer, thereby saving both of us time?

**A:** The best approach would be to ask your supervisor for permission or training to provide this information to citizens. Currently, you may not be qualified or authorized to answer follow-up questions about the program, and your supervisor may be protecting you and the City from liability if a wrong answer is provided.

**Q:** Every day I get calls from citizens complaining that their bills from the City are too high. I agree! What should I say?

**A:** It is important in helping our citizens that we provide information that will build trust and confidence in the City and its delivery of services. Telling a citizen that you also believe City bills are too high is not the proper message. One of your responsibilities as a City employee is to be informed and to understand the rationale for decisions. If you disagree with the position of the City on any matter, you are encouraged to ask questions and/or use the informational resources available.

**Q:** I have been with the City for 20 years. My department just hired a new staff person who is constantly asking me questions about the department, about the City, and about our roles. There is nothing in my job description about helping others learn, so do I have to continue helping him?

**A:** It is our responsibility as professionals to pursue organizational, vocational and personal growth for our coworkers, as well as ourselves. We should assist each other, so long as it does not adversely affect our own job performance.

## CROSS REFERENCES

Many professions and vocations have codes of conduct, professional guidelines, and other rules regarding ethics, certification, and professional licenses. You may obtain copies of these documents from your supervisor or directly from the organization or organizations that regulate your profession or vocation.

## *Principle 5:*

### **CITIZENSHIP**

We uphold federal, state and local laws, while embracing the Organizational Mission and Values, to protect the public interest and make our community a better place to live and work.

### **GUIDELINES**

- We encourage everyone to participate in our country's democratic process.
- We may join and participate in the activities of political, professional, charitable, and advocacy groups and organizations, provided that our participation does not give rise to a conflict of interest or interfere with the performance of our duties as public employees.
- We understand that the public's confidence in us would be jeopardized if we use our position as public employees to support or oppose a candidate for elective office.
- We uphold all federal, state and local laws, and we encourage others to do the same.
- We conduct the public's business in full compliance with the intent and requirements of all laws and regulations.
- We work in accordance with our Organizational Mission and Values.



## Some Commonly Asked Questions

**Q:** May I fund-raise at work, during my work hours?

**A:** The City and its employees have a long tradition of supporting nonprofit fundraising activities, including the United Way Campaign, Relay for Life, and a host of smaller efforts for schools and others. Such activities demonstrate our commitment to the community we serve. Department directors and supervisors are responsible for monitoring their service delivery efforts, and they must use appropriate discretion in allowing employees to use work time for nonprofit fundraising activities. If fundraising activities take employees away from their jobs for extended periods of time or negatively impact service delivery, the supervisor is responsible for refocusing efforts on service delivery and stewardship of public resources.

**Q:** I want to join an advocacy group. Do I have to obtain authorization from my supervisor first, as with secondary employment?

**A:** Generally, authorization is not necessary. You should seek guidance, however, when there is a potential that participating in the group may give rise to a real or perceived conflict of interest or may interfere with the performance of your duties as a public employee.

**Q:** If I participate in a protest on my own time and media coverage of the protest identifies me as both a participant and a City employee, can I be disciplined for my actions?

**A:** The City Code prohibits City employees from using the status or prestige of their position with the City on behalf of, or in opposition to, any candidate for public office. Employees also may not use City funds, supplies or equipment for political purposes, nor may they wear a City uniform while participating in political activities. In addition to complying with these legal requirements, we should take reasonable steps to ensure that observers, including the media, understand that issue and candidate advocacy is a personal decision and does not necessarily reflect the position of the City or its employees.

**Q:** May I campaign, on my own time, on behalf of a candidate for public office?

**A:** You may campaign on your own time on behalf of political candidates for any office—federal, state or local—except candidates for mayor or council member of the City of Virginia Beach. In order to avoid appearances of impropriety or City endorsement of candidates, the City Code prohibits employees from wearing their City uniform while participating in political activities. (Revised 09/08/09)

## CROSS REFERENCES

City Code § 2-90 addresses political activities by city employees.

Administrative Directive 1.10 contains the City's requirements regarding fundraising activities.

Administrative Directive 3.01 contains the City's requirements on petitioning, picketing and other expressive activities in City buildings.

**As members of the City of Virginia Beach workforce,  
we are stewards of the public trust.**

We have individual responsibility to assure our citizens and each other that we uphold and conduct ourselves in a manner reflecting the highest principles of ethical behavior. This Code of Ethics, therefore, is a guide to our principles of conduct. It provides a framework for acceptable behavior and the expectations of each member of our organization in the conduct of our work. Citizens and members alike should be confident in the guidance that these principles provide knowing that the intent is to maintain a common understanding and commitment to the highest standards of conduct. In helping to create and promote a safe and positive workplace environment, we will support each other in maintaining these standards.

Members are encouraged to seek advice about any concerns they may have regarding the Code of Ethics. Human Resources/Employee Relations serves as a resource for addressing member concerns. Should you have any questions please contact the Employee Relations Manager at **385-8949**.

Through our professionalism and commitment to the highest ethical behavior we will ensure that the City of Virginia Beach is a Community for a Lifetime.

