



Town of North Attleborough, Massachusetts

DATE: 20 JUL 22

MEMORANDUM FOR RECORD

SUBJECT: Policy Letter 011 – EMPLOYEE CODE OF CONDUCT

1. **Scope.** This policy applies to all employees of the Town of North Attleborough, Massachusetts, and includes the following:
 - a. All full time and part time employees
 - b. All contract, seasonal, and temporary employees
 - c. All interns and volunteers
 - d. All board, committee, or commission members that are elected or appointed
2. **Purpose.** The Town of North Attleborough expects its employees to conduct themselves in an ethical manner that reflects the Town's commitment to honesty, transparency, integrity, trustworthiness, objectivity, diligence, and professionalism while providing services to the public and in their interactions within the workplace. This Employee Code of Conduct is consistent with the Town's values of Respect, Accountability, and Dedication.

Town employees must follow standards of ethical and professional behavior in the course of their work to ensure that public confidence and trust is maintained. This Employee Code of Conduct establishes expectations for ethical conduct and standards designed to promote and protect the public interests while enhancing confidence, trust, objectivity, and impartiality in the Town and its employees.

3. **Definitions.**
 - a. **Town Property** - All real property, land, buildings, city vehicles, equipment, materials, supplies, technology resources, hardware, software, communications devices, intellectual property, and documents including electronic versions thereof.
 - b. **Town Vehicle** - Town vehicles are as defined in the Town's Fleet Policy.
 - c. **Confidentiality** - Ensuring information, documents and materials are maintained confidential and accessible only to those authorized to have access.
 - d. **Conflict of Interest** - A situation in which private or personal considerations, including pecuniary interests and personal interests, could affect an employee's judgment in acting in the best interests of the Town and the public's interest.
 - e. **Ethical Behavior** - The application of moral principles, standards of behavior, and a set of values regarding proper conduct in the workplace. This includes the principles of conduct governing the Town's employees based on honesty, transparency, integrity, trustworthiness, objectivity, diligence and professionalism and consistent with the Town's values of Respect,

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Accountability and Transparency.

- f. **Fraud or Fraudulent Activity** - Wrongful or criminal deception intended to result in personal or financial gain. This may include intentional perversion of truth in order to induce another to part with something of value or surrender a legal right. Also includes the act of deceiving or misrepresenting.
 - g. **Nominal Value** - Goods or services with a face value of less the \$25.
 - h. **Pecuniary Interest** - Interests that have a direct or indirect financial impact and include any matter in which an employee has a financial interest, or in which an employee is a shareholder, director or senior officer or holds controlling interest in a corporation and that corporation has a financial interest, or in which the employee is a partner of a person or is in the employment of a person that has a financial interest, or in which a parent, spouse, same sex partner or child of an employee has a financial interest, if known to the employee.
 - i. **Personal Interest** - Involves forms of advantage other than financial such as seeking employment, an appointment, promotion or selection with the Town on behalf of a family member.
 - j. **Political Activity** - Includes, but is not limited to, being a candidate for elected office, campaigning for a candidate for elected office, fundraising for an election campaign, promoting a political party or cause.
4. **Policy.** The Town of North Attleborough strives to protect its employees, vendors, customers, citizens, and the public from any illegal, unethical, fraudulent, or damaging actions committed by employees, either knowingly or unknowingly.

All Town employees are required to comply with this policy and be aware of the policies, procedures, laws, and regulations that affect their job. While this Employee Code of Conduct cannot cover every situation, employees of North Attleborough are expected to exercise sound judgment and contact their supervisor for clarification or advice when uncertain.

a. **Employees are expected to conduct themselves based on the following standards:**

i. Respect

- 1. Work together respectfully, to promote a workplace based on trust, honesty, safety, integrity, transparency, accountability, and openness.
- 2. Be fair, civil, and operate in a climate of mutual respect and understanding.
- 3. Do not manipulate, falsify, or conceal information.
- 4. Do not abuse authority, use or imply intimidation, fear, or retaliation.
- 5. Treat the public with courtesy, tact objectivity, fairness, and respect. Recognize that interactions with the public impacts the Town's public image.

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6. Contribute to a safe and healthy workplace that is free of discrimination, harassment, sexual harassment, and violence.

ii. Integrity

1. At all times, act with integrity and in a manner that will withstand public scrutiny.
2. Never use your official role or position to obtain an advantage for yourself or to put an advantage or disadvantage to others.
3. Take immediate action to prevent and resolve any real, perceived, or potential conflicts of interest between your official responsibilities and private affairs in favor of public interest.

b. Stewardship and Confidentiality

i. Stewardship

1. Effectively and efficiently use all Town resources, public funds, and property for their intended purposes.
2. Do not engage in fraud, theft, or fraudulent activities.
3. Implement all processes and procedures to safeguard all Town resources from abuse, theft, or harm.
4. Consider and account for current and long-term effects that an action can have on the public, the environment, and the reputation of the Town.

ii. Confidentiality

1. Ensure that information is appropriately collected, stored, and disclosed, provided, or shared only with those that are entitled.
2. Do not inappropriately disclose (by any means), share, or otherwise abuse confidential, privileged, or any employee personally identifiable information (PII).
3. Maintain confidentiality of information both during employment and after departing the organization.
4. Do not intentionally misrepresent information or facts.
5. By virtue of their position with the Town, employees shall not use information for personal or private gain or for the gain of friends, relatives or any person or corporation having dealings with the Town.

c. Conflict of Interest

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- i. A conflict of interest arises when an employee's personal interests conflict with his/her duties and responsibilities as an employee of the Town. A conflict of interest can exist whether or not a pecuniary advantage has been or may have been conferred on an employee.
- ii. Employees shall not engage in any business transactions or have financial or other personal interests which are inconsistent with the impartial discharge of their civic duties.
- iii. Employees shall not extend, in the discharge of their official duties, preferential treatment to relatives, friends, organizations or groups in which they or their relatives or friends have a pecuniary interest.
- iv. Employees shall not gain personal benefit, directly or indirectly, from any agreement or contract with the Town about which they can influence decisions or affect the outcome.
- v. Employees shall not gain personal benefit, or permit others to benefit, from the access to information acquired in their official capacity which is not generally available to the public through ordinary and proper channels.
- vi. Employees are to inform their supervisor that they are unable to act on a matter in which there is a real or apparent conflict of interest.
- vii. Disclose to the Assistant Town Manager or the Town Manager in writing in a timely manner, any matter in which there is a real or apparent conflict of interest.
- viii. Not participate in the analysis of information or make decisions on an issue or matter in which there is a real or apparent conflict of interest.
- ix. Decline employment, including self-employment, from an outside interest that is either incompatible with or in conflict with the employee's official duties for the Town.
- x. Do not provide preferential treatment and avoid the appearance of preferential treatment by adhering to established procedures.

d. Accountability

- i. Not perform work that is unrelated to the Town's business during the employee's business hours.
- ii. Use Town information, property, and assets for activities associated with the discharge of the employee's duties. It is recognized that occasional personal use of devices, phones and computers can occur, provided such use does not interfere with normal business operations or productivity, and the employee is personally responsible for any consequential or additional costs. Such use will not be for illicit, illegal or immoral or disrespectful purposes.
- iii. Use all Town vehicles, equipment, and materials with due care and safety.

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- iv. Operate Town vehicles (as defined by the Town's Fleet Policy) or equipment in accordance with the Fleet Policy and applicable Health and Safety requirements.
- v. Keep individual political activities separate from the business of the Town including not engaging in any political activities at the workplace, during working hours or using Town property.
- vi. Comply with applicable corporate policies and procedures, laws and regulations including but not limited to:
 - 1. Maintaining a safe and healthy work environment.
 - 2. Promoting a respectful workplace that is free from discrimination, harassment, sexual harassment, and violence in accordance with this policy and the Workplace Safety Policy Letter.

e. Impairment

- i. Abide by applicable laws, regulations and policies governing the possession or use of alcohol, cannabis, illicit drugs or medications and ensure that job performance is not adversely affected.
- ii. The employee must not be impaired by the use of alcohol, cannabis, medication (prescribed or non-prescribed), or illicit drugs while at work.
- iii. The sale, unlawful possession, manufacture or distribution of alcohol, cannabis, illicit drugs, or non-prescribed medication for which a prescription is legally required, during work hours is prohibited.
- iv. Any employee who is impaired by alcohol, cannabis, illicit drugs or medication in the course of his or her employment may be subject to discipline up to and including dismissal.

f. Business Meals / Functions

- i. It is recognized that from time to time, Town business may be conducted over a meal.
- ii. Such working meals are a normal function of doing business and will not be deemed as a violation of the Code of Conduct or as a gift.
- iii. Business meals should be on an occasional basis and that it can be demonstrated that it furthers the Town's business interests.

g. Social, Sports, Charitable, Professional Development Functions

- i. Attendance at social functions including dinners, galas, tournaments and sporting events, where attendance is on behalf of the Town of North Attleborough is recognized as a normal function of Town business.

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- ii. Attendance at such functions will not be deemed as a violation of the Code of Conduct or as a gift provided:
 - 1. Attendance is in a representative capacity on behalf of the Town; and
 - 2. Attendance furthers the Town's business interests; and
 - 3. Acceptance of such tickets for functions/events is infrequent and the business contact attends the event with the employee; or
 - 4. Similarly- positioned representatives of comparable government organizations are anticipated to attend the function.

h. Gifts

- i. Employees shall not accept gifts (including items, articles, services, offers or vouchers) except of nominal value.
- ii. Employees recognize that even items of nominal value, if frequently accepted, may be perceived to be an attempt to create an obligation.
- iii. Employees will donate gifts to charity or raffle gifts and send proceeds to charity where money is raised.
- iv. Employees can share gifts of nominal value amongst the department, if perishable.
- v. Employees will not accept loans offered in the course of their employment at the Town.

- i. Responsibilities** - All employees of the Town have a responsibility and obligation to adhere to this Code of Conduct and the standards and principles set out within it.

i. Management and Staff will:

- 1. Promote an environment in which employees demonstrate standards of ethical and professional behavior;
- 2. Take appropriate steps to ensure employees are aware of and act in compliance with this Code of Conduct and related policies;
- 3. Demonstrate behaviors that are consistent with the Code of Conduct;
- 4. Support staff members in the adherence to the Code of Conduct;
- 5. Promote a safe and healthy workplace which promotes reporting of issues and incidents with no fear of reprisal or retaliation, where the complaint is not vexatious or made maliciously;
- 6. Establish and maintain adequate systems, procedures and controls for the operation which supports compliance with this Code of Conduct.

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7. Deal in a fair and expeditious manner with any issues or allegations of Code of Conduct violations, in consultation with the Director of Human Resources; and,
8. Begin an investigation into an allegation or complaint within five business days or as soon as possible after receiving an allegation or complaint in writing which is signed by the complainant.

ii. Employees will:

1. Provide a yearly acknowledgement and sign-off that they have read and understand the Code of Conduct and that they agree to comply with its provisions.
2. Seek clarification from management or Human Resources if uncertain about any information contained in the Code of Conduct.
3. Adhere to the standards of behavior outlined in this Code of Conduct.

iii. The Director of Human Resources will:

1. Maintain the Code of Conduct and human resources related policies and procedures.
2. Provide information and education relating to the Code of Conduct.
3. Provide advice on matters that are related to the Code of Conduct.
4. Notify the Town Manager immediately of any reported, suspected, or confirmed breaches of the Code of Conduct.
5. Support management in the investigation of alleged breaches of the Code of Conduct.
6. Determine in conjunction with management, the appropriate disciplinary action for confirmed breaches.

j. Reporting and Investigating

- i. Employees who have reasonable grounds to believe a violation of the Code of Conduct has occurred should report such activity or behavior, in writing, to their Supervisor, Board/Committee/Commission Chair, Manager, Director, Assistant Town Manager, the Director of Human Resources, or the Town Manager, as appropriate.
- ii. Supervisory and management staff shall take all appropriate steps to prevent and stop Code of Conduct issues which come to their attention.
- iii. Any supervisory or management staff member who is subject to, witnesses, or is given a written complaint of a Code of Conduct breach or violation shall work to minimize or eliminate the issue at hand. In the event that this is not possible with available resources, the management staff is required to report the conflict to their Assistant Town Manager

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or the Town Manager.

- iv. The Town shall investigate all complaints of violations of the Code of Conduct and take all appropriate corrective actions in response to any infraction or transgression.

k. No Retaliation

- i. The Town will not condone retaliation or reprisal of any kind by or on behalf of the Town and its employees against good faith reports or complaints of violation of the Code of Conduct or other illegal or unethical conduct.
- ii. All employees must cooperate fully during an investigation of alleged wrongdoing in relation to any activity outlined in the Code of Conduct.
- iii. Retaliation or reprisal against a complainant or someone who is a witness or is involved in such investigation is strictly prohibited and will result in appropriate disciplinary action.

l. Remedial Action

- i. Any employee who is found to have violated the Code of Conduct may be subject to disciplinary action up to and including discharge from employment.
- ii. In addition, complaints which are found to be vexatious, malicious or made in bad faith will result in disciplinary action against the complainant. The severity of the action will be determined based on the seriousness and impact of the vexatious complaint following an investigation which may be subject to disciplinary action up to and including discharge from employment.

m. Annual Report – The Director of Human Resources will provide to the Town Manager the number of complaints received and processed, the nature of the complaints, the resolution of the complaints, and all recommendations made. The identity of the persons involved will not be disclosed in the report.

- 5. The previous version of this policy, published by the Board of Selectmen, is obsolete.
- 6. Point of Contact for this policy is the undersigned at mborg@nattleboro.com or by telephone at (508) 699-0100.



MICHAEL D. BORG
Town Manager
North Attleborough, MA