

AN ADMINISTRATIVE REGULATION ESTABLISHING A "CODE OF ETHICS AND CHAIN OF COMMAND" GOVERNING EMPLOYEES OF THE CITY OF LAS VEGAS.

THIS ADMINISTRATIVE REGULATION REPEALS AND REPLACES IN ITS ENTIRETY ANY AND ALL PREVIOUS ADMINISTRATIVE REGULATIONS REGARDING ANY AND ALL "EMPLOYEE CODE OF ETHICS" AND "CHAIN OF COMMAND POLICIES" FOR THE CITY OF LAS VEGAS.

Code of Ethics

Preamble

The citizens and businesses of the City of Las Vegas are entitled to have fair, ethical and accountable local government earning the public's full confidence for integrity. In keeping with the City of Las Vegas' Commitment to Excellence, the effective functioning of government therefore requires that:

- Employees comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Employees be impartial and fair in their judgment and actions;
- Employment be used for the public good, not for personal gain; and
- Employee actions, deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City of Las Vegas' City Manager implements this Code of Ethics and Chain of Command Administrative Regulation for Employees of the City of Las Vegas to assure public confidence in the integrity of local government and its effective and fair operation.

"Employee" is defined as any person employed by the City of Las Vegas regardless of whether such employment is seasonal, part-time, temporary or regular full time status.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, Employees will work for the common good of the people of City of Las Vegas and not for any private or personal interest, and they will assure fair and equal treatment of all persons and in all claims and transactions.

2. Compliance with the Law

Employees shall comply with the laws of the state of New Mexico and the City of Las Vegas in the performance of their duties. These laws include, but are not limited to: the United States and New Mexico constitutions; the City of Las Vegas City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer/employee responsibilities, and open processes of government; and city ordinances, resolutions, administrative regulations and policies.

They shall abstain from participating in deliberations and decision-making where actual or potential conflicts may exist.

9. Gifts and Favors

Employees shall not take any special advantage of services or opportunities for personal gain, by virtue of their position, that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of impropriety. No Employee (or immediate family or household member) whose action or inaction can affect the award or administration of any City grant, loan or contract may apply for, be part of, or have an interest in that City grant, contract or loan. Gifts may include but are not limited to anything of value including money, items of value, services, loans, travel, entertainment, hospitality or offers of employment.

10. Confidential Information

Employees shall respect the confidentiality of information concerning the property, personnel and affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Employees shall not use public resources not available to the public in general, including but not limited to City staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, Employees shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall Employees appear before the Council on behalf of the private interests of third parties on any matters which may be related.

13. Advocacy

Employees shall represent the official policies or positions of the City, to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Employees shall explicitly state they do not represent the City of Las Vegas.

14. Policy Role of Employees

Employees shall respect and adhere to the structure of City of Las Vegas' City Government as outlined by the City of Las Vegas City Charter, Ordinances, Resolutions, Administrative Regulations and policies. Employees therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of other Employees to perform their work.

15. Positive Work Place Environment

3. Conduct of Employees

The professional and personal conduct of Employees must be above reproach and avoid even the appearance of impropriety. Employees shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other Employees, the Governing Body or the public. Employees shall not use their official position to secure employment or obtain benefits from any corporation, partnership, sole partnership, firm, organization or individual, or accept payment from anyone other than the City of Las Vegas for the performance of their duties, or take or withhold official action on a matter in which they have a personal or financial interest in using City of Las Vegas' time, equipment property or facilities for personal and/or financial benefit, coerce subordinates in any manner which will result in personal or financial benefit to the Employee or any other Employee.

4. Respect for Process

Employees shall perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council.

5. Conduct of Public Meetings

Employees shall prepare themselves for public meetings; listen courteously and attentively to all public discussions; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of at hand; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Employees shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated or improper considerations.

7. Improper Use of Disclosure of Information

No Employee shall use or disclose any information gained from City employment if the use or disclosure could result in a financial or personal benefit to the Employee (or to a family/household member or member of general public), unless that information has already become public. No Employee shall use or disclose confidential information acquired during employment, unless otherwise provided for by subpoena or other valid legal process.

8. Conflict of Interest including Financial

In order to assure their independence and impartiality on behalf of the common good, Employees shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, Employees shall disclose immediately to the City Manager all investments, interests in real property, sources of income, and gifts; and

Employees shall support the maintenance of a positive and constructive work place environment for all City Employees and for citizens and businesses dealing with the City. Employees shall recognize their special role and dealings with other City Employees and to in no way create the perception of inappropriate direction to staff.

16. Implementation

As an expression of the expectations for conduct by Employees, the City of Las Vegas Code of Ethics and Chain of Command Administrative Regulation is intended to be self-enforcing. It therefore becomes most effective when Employees are thoroughly familiar with it and embrace its provisions. For this reason, the provisions of this Administrative Regulation shall be included in all employee orientations. Employees shall sign a statement affirming they read and understood the City of Las Vegas Code of Ethics and Chain of Command Administrative Regulation.

17. Complaint of Potential Ethical Violations.

Complaints of potential ethical conduct of an Employee shall be filed with the City Manager who will forward a copy to the Ethics Policy Review Committee who will then review the complaint and conduct its own independent investigation notifying the City Manager, in writing, of its findings within ten (10) working days after receipt of the complaint forwarded by the City Manager.

18. Ethics Committee

The City of Las Vegas Ethics Policy Review Committee shall consist of the Human Resource Director, City Attorney and Chief of Police. The Committee shall review in a timely manner, all questions of ethics violations that are forwarded to the Committee by the City Manager. The Committee will review ethical violations on a case by case basis with the goal of providing recommendations that are consistent with the spirit of the Code of Ethics. The Code of Ethics shall be reviewed at least annually by the Committee and shall be updated as necessary.

19. REPORTING OF SEXUAL HARASSMENT AND ILLEGAL CONDUCT EXEMPT FROM THIS POLICY

The reporting of Sexual Harassment is exempt from this Administrative Regulation. Sexual harassment of any form should be reported immediately to the Human Resource Manager for Guidance. The current Sexual Harassment Policy shall govern the reporting of any form of sexual harassment. An employee's reporting of any illegal conduct, if allegedly perpetrated by that employee's immediate supervisor, is also exempt from this Administrative Regulation.

20. Compliance and Enforcement: The City of Las Vegas Code of Ethics and Chain of Command Administrative Regulation expresses standards of ethical conduct expected for Employees of the City of Las Vegas. Employees themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The City Manager has the additional responsibility to intervene when actions of Employees that appear to be in violation of the Code of Ethics are brought to his/her attention. The City Manager may impose disciplinary action in compliance with all Ordinances, Resolutions,

Union Contracts, City Policies or Statutes of the State of New Mexico, on Employees whose conduct does not comply with the City's ethical standard and command policies up to and including termination.

Chain of Command

"Chain of Command" defined in following order: Employee's Immediate Supervisor, Department Director and City Manager.

21. Requirement

Employees shall be required to follow the Chain of Command in addressing issues of personnel matters specific to the Employee. All matters shall be addressed at all levels, within ten (10) calendar days.

22. Concerns

Employees shall present his/her concern to his/her immediate supervisor in writing.

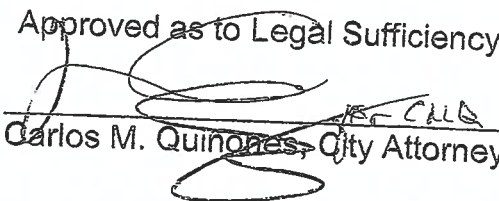
23. Levels/Steps

1. The immediate supervisor at this level and the Employee shall attempt to resolve the matter. The immediate supervisor shall notify the employee in writing of his/her decision. If the matter is not resolved at the immediate supervisor level, the Employee may pursue the matter, in writing, further to the next level of Supervision (Department Director).
2. The Supervisor (Department Director) at this level and the Employee shall attempt to resolve the matter. The Supervisor (Department Director) shall notify the Employee in writing of his/her decision. If the matter is not resolved at the Department Director level, the Employee may pursue the matter, in writing, further to the next level of Supervision (City Manager).
3. The City Manager shall meet with the Immediate Supervisor, Department Director and Employee and attempt to resolve the matter. The City Manager will notify the Employee in writing of his/her decision. The City Manager's decision shall be final and will be documented in the employee's personnel file.

This Administrative Regulation shall become effective immediately upon approval by the City Manager.

Approved this 5th day of October, 2009.


Timothy Dodge, City Manager

Approved as to Legal Sufficiency Only:

Carlos M. Quinones, City Attorney