



ATLNEXT

INDUSTRY DAY

ETHICS

DOING THE
RIGHT THING:

Both Reality and
Appearance Matter

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WHAT DOES THE ETHICS OFFICE DO?

- 
- Conduct ethics investigations
 - Provide ethics advice to City officials, employees and the public
 - Provide training to City officials and employees

ATLANTA CODE OF ETHICS

- Sections 2-801 through 2-823 of the City of Atlanta Code of Ordinances
- Can be found at www.atlantaethics.org
- Passed in its current form in 2002
- Applies to ALL City officials, employees and board members

SUBJECTS COVERED BY ETHICS CODE



- Conflicts of interest
- Confidential information
- Use of City property
- Gifts and gratuities
- One-year cooling off period
- Financial disclosure

PURPOSE


- The Code of Ethics is a guideline for behavior that reflects the City's commitment to integrity.
- Following the Code furthers our reputation for fair, ethical conduct.
- Avoids serious consequences
- Builds an ethical culture that reflects our values
- The City competes and operates more effectively
- Communicates our ethical stance to the public

WHAT THE ETHICS CODE COVERS

- Principles, values and rules of behavior that **guide** decisions and actions by city officials and employees, including interactions with city contractors, vendors and other prohibited sources
- A broad range of topics, from avoiding conflicts of interest, accepting personal gifts, to preventing misuse of City property



WHAT IS NOT COVERED

- 
- Every possible ethical dilemma you may encounter
 - A single answer to every question the Code raises, especially in the case of complex or ambiguous issues
 - Possible situations that may require further investigation or consultation with the official or employee

UPDATES TO THE CODE OF ETHICS

Purpose clause of now includes the monitoring of city contractors/vendors for potential conflicts of interest

Contractor disclosure of personal and financial interests involving city officials and employees during the procurement process and the term of a city contract now codified (Section 2-813)

Failure to disclose may subject city contractors/vendors to ethics violations and potential sanctions

Prospective bidders will soon be required to sign an ethics pledge during the procurement process

TWO STANDARDS



Code of Ethics

Minimum legal standard

What is required

Appearance of Impropriety

What looks right

APPEARANCE OF IMPROPRIETY



- Appearances are what matter most
- Motivations, feelings and character are not relevant
- Question is not, “Why?” but “**How will this appear to others?**”

WHAT IS A CONFLICT OF INTEREST?



- When personal connections interfere with your ability to perform your duties objectively
- City officials or employees have a conflict of interest when they, their employer or their immediate family have a financial or personal interest in a contract, proposed legislation, or a decision that is pending before them or their agency

Examples:

- Financial interest in a City vendor
- Taking on a client who seeks to sue your organization
- Exchanging gifts or business gratuities with City vendors

CONFLICTS OF INTEREST: GUIDING PRINCIPLES

- Decisions by City officials, employees, and agencies should be based solely on what best serves the public's interest.
- The City's ethics law is aimed at the perception, as well as the reality, that a public official or employee's personal interests may influence a decision.
- Having a conflict of interest does not mean that an official has done something wrong; it means the individual has a financial or personal interest that disqualifies him or her from participating in a matter.

ADDRESSING CONFLICTS OF INTEREST

- **Pending legislation:** Officials who have a financial or personal interest in pending legislation should decline to discuss or vote on the matter and then file an online conflicts disclosure form.
- **Pending matter:** Employees or board members who have a financial or personal interest in a matter pending before them or their agency should immediately remove themselves from the decision-making process, and, when required, file an online conflicts disclosure form.

Prior to any decision, verbally disclose the conflict at the meeting.

Have the disclosure placed in the minutes of the meeting or the agency's official records.

Complete an online Conflicts of Interest Disclosure Report in the Electronic Disclosure System.

GIFT RULES



NO GRATUITIES ALLOWED

Gratuity is defined as “a thing of value that is given to or received by a city official or an employee from a **prohibited source.**”

Ethics and Vendors

- **DON'T** accept gifts or gratuities
- **DON'T** request favors
- **DON'T** agree to unusual deals

GIFT RULES



THING OF VALUE

- Cash
- Tickets to sporting events
- \$5 gift card
- just about anything

**Even if you don't use
the gift, accepting it
may be a violation**

WHO IS A PROHIBITED SOURCE?



- Seeks official action
- Does business with City or seeks City business
- Registered lobbyist
- Has interests that may be substantially affected by how an official/employee **does or does not** carry out his or her **duties**

REASONABLE MEALS EXCEPTION



- Reasonable meals at a public event when attending in your official capacity
- Meals for an event or purpose unrelated to official City business
- Reimbursements related to travel in an official capacity

GIFT EXCEPTIONS



When gifts are allowed

- Food at public events
- Travel to conferences
- Gifts to City

Holiday gift rule

- Perishable
- Modest value
- Publicly shared

ONE-YEAR COOLING OFF PERIOD



Cannot appear before your agency or represent any private interest on matters where you

- Were directly concerned
- Personally participated
- Actively considered
- Gained knowledge

When leaving City position, must file city disclosure statement in same year

QUESTIONS?



City of Atlanta Ethics Office

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