

City of Niles, Ohio

Conflict of Interest
Fraud & Financial Impropriety
Outside Employment

POLICY STATEMENT

Each elected, appointed and city employee assumes the responsibility to serve the residents of Niles in an honest, effective and friendly manner. No elected, appointed or city employee by virtue of their affiliation with the City of Niles, should receive special treatment or favors. Nor should any personal advantage, pecuniary or otherwise, be gained from such employment.

This Policy is not all-inclusive.

If in doubt or a question arises, please consult with the City Law Director.

1. Conflict of Interest

- 1.1 Elected, appointed and city employees shall not engage in or have a financial interest, directly or indirectly with activities that conflict or raise a reasonable question of conflict with his/her duties and responsibilities;
- 1.2 Elected, appointed and city employees shall not use City property or facilities for personal/family benefit or personal/family business practice;
- 1.3 Elected, appointed and city employees shall not participate in the discussion/selection/award or administration of contracts/grants/awards if he/she has a real or apparent conflict interest;
- 1.4 Elected, appointed and city employees are strictly prohibited from soliciting or accepting gratuities, favors, gifts, or anything of monetary value from contractors or parties to subcontracts under contract by the City of Niles;
- 1.5 Elected, appointed and city employees are prohibited from soliciting or accepting anything of value, whether in the form of service, loan, item or promise from any person, firm or corporation which is interested directly or indirectly in providing services to the City;

- 1.6 Elected, appointed and city employees are prohibited from engaging in or accepting private employment or render services for private interests when such employment or service is incompatible with the proper performance of the employee's official duties or would tend to impair independent judgment or action in the performance of official duties;
- 1.7 Elected, appointed and city employees are prohibited from receiving, soliciting or agreeing to receive outside compensation for services rendered in a matters before any office or department of the City.

2. **Disclosure**

- 2.1 In accordance with this policy, state and federal laws, and the Ohio Ethics Commission, elected, appointed and city employees must disclose any potential conflict of interest which may lead to a violation of this policy;
- 2.2 Those found to be in violation of this policy may be subject to disciplinary action in accordance with local, state and federal law.

3. **Fraud and Financial Impropriety**

- 3.1 Elected, appointed and city employees should act with integrity and diligence in duties involving the City's financial resources. Fraud and financial impropriety may include the following:
 - 3.1.1 Forgery or unauthorized alteration of any document or account; including employee payroll/personal leave/sick leave/compensatory time;
 - 3.1.2 Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
 - 3.1.3 Misappropriation of funds, securities, supplies, or other City assets including employee payroll/personal leave/sick leave/compensatory time;
 - 3.1.4 Impropriety in the handling of money/checks/money order/electronic payment data transactions;
 - 3.1.5 Profiteering as a result of insider knowledge of City information or activities;
 - 3.1.5 Unauthorized disclosure of confidential or proprietary information to outside parties;
 - 3.1.6 Unauthorized disclosure of investment activities engaged in or under consideration by the City;

3.1.7 Inappropriately destroying, removing, or using records;

3.1.8 Any other dishonest act regarding the finances of the City.

4. **Outside Employment**

4.1 Full-time employment with the City of Niles shall be considered an employee's primary occupation and take precedence over all other occupations;

4.2 Full-time employees shall not have other employment which presents a "time conflict". A time conflict exists when the working hours of a secondary job directly conflicts with an employee's scheduled working hours or mandatory overtime obligations, if any, or when the demands of a secondary job prohibit adequate rest or otherwise affect the employee's job performance;

4.3 No employee, regardless of employment status, shall have other employment which presents an "interest conflict" with their position;

4.4 Employees shall notify the Safety-Service Director, City Auditor and Mayor in writing of any secondary employment, preferably prior to accepting such employment;

4.5 Employees are expected to maintain the highest possible ethical and moral standards and perform within the laws of the State of Ohio and other policies, rules and regulations as may be set forth by the City of Niles.

4.6 The Niles Police Dept. will adhere to the administrative guidelines established by the Safety-Service Director and Chief of Police.

"Compensation" means money, thing of value, or financial benefit. "Compensation" does not include reimbursement for actual and necessary expenses incurred in the performance of official duties.

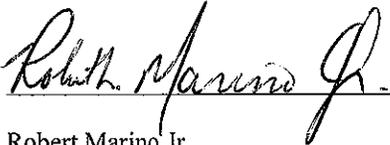
"Elected, appointed or employee" means any person who is elected or appointed to an office or is an employee of any public agency. "Public official or employee" does not include a person elected or appointed to the office of precinct, ward, or district committee member under section 3517.03 of the Revised Code, any presidential elector, or any delegate to a national convention. "Public official or employee" does not include a person who is a teacher, instructor, professor, or other kind of educator whose position does not involve the performance of, or authority to perform, administrative or supervisory functions.

"Immediate family" means a spouse/partner residing in the person's household and any dependent child.

"Interest conflict" exists when an employee engages in any secondary employment which tends or may appear to compromise the employee's judgment, actions, or job performance or conflict with the policies, objectives and operations of the City.

"Anything of value" has the same meaning as provided in section 1.03 of the Revised Code and includes, but is not limited to, a contribution as defined in section 3517.01 of the Revised Code.

"Honorarium" means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. "Honorarium" does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, other than a legislative agent, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the public official or employee conducting that business was elected or appointed to the public official's or employee's office or position of employment.



Robert Marino Jr.
President, Niles City Council