

CHAPTER 6 – EMPLOYEE CONDUCT

6.1 Public Relations.

6.1.1 The measure of City Government is, to some extent, based on the effectiveness and personal contact of its employees with the general public. It is expected that all employees will avoid conduct at work or elsewhere that might cause embarrassment to, or criticism of, the City. Often, the City employee is the only contact a private citizen has with municipal government and, although the citizen may not be right, he/she does have an active interest in the City and its services. Therefore, it is essential that the attitudes and actions of all City employees, both on and off duty, bring credit to the City. Good public relations can best be created by simply being helpful, courteous and treating people in the same manner you would like to be treated.

6.2 Ethics.

6.2.1 City employees shall comply with Utah Public Employees Ethics Act, Title 67, Chapter 16, UCA, and its successor statutes, to avoid actual or potential conflicts of interest between their public duties and their private interests.

6.3 Outside Employment.

6.3.1 No employee may engage in additional employment which in any manner interferes with the proper and effective performance of official duties or results in a conflict of interest. It is necessary that an employee give priority to his/her job with Cedar City Corporation. An employee's additional employment must be approved by his/her Department Head.

6.4 Employment Dress and Grooming.

6.4.1 City employees are expected to have socially acceptable hygiene, and to dress in appropriate and modest apparel at all times at the work place. An employee's job classification will, in most cases, determine what type of apparel and grooming standards are appropriate. Additional guidelines may be determined by the Department Head.

6.5 Use of City Facilities, Supplies, Tools and Equipment.

6.5.1 No City Facilities, supplies, tools and equipment shall be for the use of City employees outside the scope of their employment.

- 6.5.2 Public Servants are responsible to protect and conserve public property. To help improve the effectiveness and efficiency of public services, incidental personal use of public property is authorized under Utah Code §76-8-402 and is further authorized under this policy. Incidental personal use of public property is authorized if:
- 1) the Public Servant is authorized to possess the public property when the personal use occurs;
 - 2) the use is in compliance with City and Department policy;
 - 3) it is part of their official responsibilities and duties to possess the public property at the time of personal use;
 - 4) the personal use does not damage the public property;
 - 5) the personal use does not interfere with the use of the property as intended for public use;
 - 6) the personal use of the public property does not increase costs to the City; and
 - 7) the Public Servant agrees to pay for any costs that may derive from personal use.

Amended by Cedar City Resolution Number 19-0626.

6.6 Political Activity.

- 6.6.1 Employees are strongly discouraged from participating or using their influence to affect municipal elections (other than their personal private vote at the poll). Employees should maintain a neutral stance in Cedar City Municipal elections.
- 6.6.2 Nothing herein shall be construed to restrict the right of the employee to hold membership in, and support a political party and candidates, or to attend political meetings after working hours.
- 6.6.3 Whether on or off duty, no City employee or appointed official shall use positions, title, uniform, city vehicle, city identification, or city equipment or supplies to solicit, either orally or by written communication, any assessments, contributions or services for any political party or municipal candidate. No City employee or appointed official shall be allowed to hold a political position for Cedar City Corporation.

6.7 Email, Voice Mail, Internet Technology, Other Electronic System Usage, and Social Media.

6.7.1 Email, Voice Mail, Internet Technology, and Other Electronic System Usage

1. Purpose.

To encourage the proper use of voice mail, email, internet technology, or other electronic systems provided by Cedar City.

2. Policy.

It is the policy of Cedar City to establish basic guidelines concerning the appropriate use of email, voice mail, internet technology, or other electronic communication systems owned and provided by Cedar City. All communications over and activities conducted on these systems are the property of Cedar City. These systems have been provided by Cedar City to its employees for the purpose of performing their job.

3. Monitoring and Expectation of Privacy.

- a. Cedar City encourages employees to use email, voice mail, internet systems, and other electronic systems for both City related and personal purposes, but only in accordance with this policy.
- b. Employees have no expectation of privacy when using voice mail, email, internet technology, or other electronic systems provided by Cedar City. Some City equipment requires the use of a password. The use of passwords is for the benefit of the City to prevent unauthorized access by the public and/or other employees and should not be construed as creating an expectation of privacy by employees using the password.
- c. Cedar City expressly reserves the right to inspect the contents of any email, voice mail, internet technology, other electronic system, or files residing on any of the City's server(s) or other equipment that stores data or information. Inspections may occur at any time and for any reason. For purposes of this policy City's servers include but are not limited to servers owned by Cedar City or servers where Cedar City rents or leases space such as internet service providers or other such hosting services paid for by Cedar City.
- d. Supervisors should be particularly aware of situations that may warrant monitoring of employee usage such as suspicion of a crime, violation of a policy, or to monitor productivity.

4. Allowed Use of City Equipment.

Cedar City encourages work related and personal uses for email, voice mail, internet technology, and other electronic systems by City employees for the following:

- a. To facilitate the performance of job functions;
- b. To facilitate the communication of information in an timely manner;
- c. To coordinate meetings and efficient use of City resources;
- d. To share ideas and information;
- e. For personal use during employee's time off, and;
- f. To encourage employee innovation.

5. Prohibited Use of City Equipment.

Cedar City prohibits employee use of City email, voice mail, internet technology, and other electronic systems for the following purposes:

- a. Political endorsements
- b. Commercial or business activities not related to interests of the Cedar City Corporation;
- c. Personal use of systems during employee's work time other than brief and incidental use;
- d. Sending obscene or suggestive messages;
- e. Sending, viewing, or downloading offensive, pornographic, discriminatory, disparaging or harassing graphical images or information;
- f. Threats of harassment;
- g. Slander or defamation, and;
- h. Other illegal activities or activities that are prohibited by policies adopted by Cedar City.

6. Miscellaneous.

- a. Employees using email, internet, and other related systems within the City for personal use will be responsible for reimbursing the City for any direct expenses incurred from that use, such as printing or long distance telephone costs.
- b. Employees are cautioned to not send email to every employee listed on the City's email system that is indicative of a persons' personal political or religious beliefs.
- c. Violations of this policy will be reviewed on a case by case basis and may result in disciplinary action up to and including termination of employment.
- d. Violations of this policy that may be construed to be of a harassing nature

or that may create a hostile work environment will be treated as a violation of the City's harassment policies.

6.7.2 Social Media

1. Purpose.

Cedar City recognizes that social media has changed the way people communicate with each other and that the use of social media can enhance communication between City government and citizens, particularly citizens that do not access traditional media. Cedar City policies related to social media are to be interpreted in furtherance of this purpose.

2. Policy.

Cedar City encourages the use of social media to further the mission of the City and its departments where appropriate. This policy sets forth guidelines for the establishment and use of social media by the City for the dissemination of information to the public. This policy also sets forth guidelines related to private use of social media by employees that may impact the City's interests. For purposes of this policy, social media means any facility for online publication and commentary including without limitation blogs, wiki's, content hosting sites such as Flickr and YouTube, and social networking sites such as Facebook, LinkedIn, Twitter, and Google Plus.

A. City Sponsored Social Media.

1. Cedar City departments may utilize social media and social networking sites to enhance communications with citizens and program participants subject to the following rules and guidelines contained herein.
2. Site Approval and General Use.
 - a. All Cedar City social media sites shall be approved by the City Manager. The department head, or department head's designee, shall be responsible for the content and upkeep of each social media site maintained by that department.
 - b. Cedar City social media sites shall generally be used for: (1) marketing/promotional channels which increase the City's ability to broadcast its messages to the widest possible audience; (2) public information updates, and (3)

the dissemination of time sensitive information as quickly as possible (i.e. emergency information).

- c. Content posted to Cedar City social media sites shall also be made available on the City's main web site whenever possible. Content posted to City social media sites should contain links directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct business with Cedar City.
- d. Employees representing Cedar City via social media outlets must conduct themselves at all times as a representative of the City and in accordance with all appropriate City policies and standards, including but not limited to the Cedar City Personnel Manual and Council Resolutions adopting child appropriate standards.
- e. City social media sites shall be used only for communication of City related information and shall not be used for personal purposes.

3. Record Retention.

- a. Cedar City social media sites shall comply with federal, state, and local laws, regulations and administrative rules.
- b. City social media sites are subject to State of Utah public record laws. The department maintaining the site is responsible for responding completely and accurately to any public records request for public records on social sites. If the information requested is available on the social media site, referral of the requester to the site will generally constitute compliance with the request. Content related to Cedar City business shall be maintained in an accessible format and so that it can be produced in response to a request. Whenever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure. Users shall be notified that public disclosure requests must be directed to the appropriate departmental records representative.

- c. State of Utah record retention schedules apply to social media formats and social media content. Unless otherwise addressed in a specific social media standards document, the department maintaining the site shall preserve records required to be maintained pursuant to relevant record retention schedules for the required retention period on a server owned or leased by the City. Records shall be stored in an easily accessible format that prevents the integrity of the original records.

4. Standard Notices.

- a. users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between City departments and members of the public. Cedar City social media site articles and comments containing any of the following forms of content shall not be allowed:
 - i. Comments in support of or opposition to political campaigns or ballot measures;
 - ii. Profane language or content;
 - iii. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
 - iv. Sexual content or links to sexual content;
 - v. Solicitations of commerce;
 - vi. Conduct or encouragement of illegal activity;
 - vii. Information that may tend to compromise the safety or security of the public or public systems;
 - viii. Content that violates a legal ownership interest of any other party; or
 - ix. Comments not topically related to the particular

social medium article being commented upon, including random or unintelligible comments.

- b. The guidelines described above should be displayed to users or made available by hyperlink. A copy of any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available.

5. Miscellaneous.

- a. Cedar City reserves the right to restrict or remove any content that is deemed to be in violation of this social media policy or any applicable law.
- b. The social media tools that are currently approved for use by Cedar City are Twitter, Facebook, Google Plus, and City-sponsored blogs. If any City department desires to use any other social media tool, such use must be approved by the City Manager and is subject to this policy.
- c. All content created or posted on a City social media site as well as all City profile and home pages shall belong to Cedar City.
- d. All social media sites belonging to Cedar City shall use such text, fonts, logos, images, color schemes, and other applicable stylistic items as are from time to time adopted in the Cedar City Style Guide.
- e. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment. All disciplinary action shall follow the policies and procedures contained in the Cedar City Personnel Policy Manual.

6.7.3 Employee Personal Use of Social Media.

- 1. Employee personal communication using social media may reflect on Cedar City especially if employees are commenting on City business, supervisors, fellow employees, City policies, and/or are identified as a City Employee while using social media. Often times messages on social media reach a broader audience than was intended when the message was

posted and these messages may be difficult to edit or retract once posted. Employees are strongly discouraged from posting anything on social media that may be disparaging to Cedar City, its employees, elected and appointed officials, and policies. Postings on social media that violate a separate section of this policy or any policy permitted hereunder may be grounds for discipline up to and including termination of employment.

Amended by Resolution Number 13-12-11

6.8 Consensual Romantic Relationships in the Workplace.

6.8.1 It is not the City's desire to discourage friendships among employees, however, it is recognized that consensual "romantic" or sexual relationships between supervisor/managers and their subordinates could lead to actual or perceived conflicts of interest, favoritism or sexual harassment. This policy is to protect employees from coercive or hostile relationships that may damage morale and reduce productivity because of bias, favoritism, or harassment.

6.8.2 Relationships between a supervisor/manager and a subordinate: Consensual "romantic" or sexual relationships between a supervisor/manager and their subordinate are prohibited, as well as any conduct, such as dating, that is designed or may reasonably be expected to lead to the formation of a "romantic" or sexual relationship. Persons should not be hired, promoted, transferred or otherwise changed into a position where such a relationship would exist.

- A. If such a relationship should develop, the supervisor/manager is obligated to promptly disclose the existence of the relationship to the Department Head. The employee may make the disclosure as well, but the burden of doing so is upon the supervisor/manager.
- B. The Department Head should inform the City Manager and others with a need-to-know of the existence of the relationship, including the person responsible for the employee's work assignments. Upon being informed or learning of the existence of such a relationship, the Department Head and City manager or designee, may take steps that he deems appropriate.
- C. At a minimum, the subordinate and supervisor/manager will not thereafter be permitted to work together on the same matters (including matters pending at the time disclosure of the relationship is made), and the supervisor/manager must withdraw from participating in activities or decisions (including, but not limited to, hiring, evaluations, promotions, compensation, work assignments and discipline) that may reward or disadvantage any employee with whom the supervisor/manager has or has had such a relationship.

- D. Any person who believes that he or she has been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make his or her views about the matter known to the City Manager, Human Resources Specialist, Department Head or City Attorney.

Amended by Resolution No. 11-0309-1.

- 6.8.3 Dating relationships between other employees:
Dating relationships between other employees are permitted, however both employees have a responsibility to notify their Department Head when dating begins to document that the dating relationship is consensual and welcome. Employees will be instructed to inform the Department Head when/if the relationship ends.
- 6.8.4 This policy shall apply without regard to gender and without regard to sexual orientation of the participants in the relationship. The City's implementation of this policy is not intended to inhibit the social interaction (such as lunches or dinners or attendance at entertainment events) that are or should be an important part or extension of the working environment, and this policy is not to be relied upon as justification or excuse to engage in such social interaction with employees.

6.9 Non-Smoking.

- 6.9.1 It is recognized that smoking can pose a health hazard to smokers and non-smokers who breathe smoke-polluted air. In accordance with the Utah Clean Air Act passed by the Utah State Legislature that became effective January 1, 1995, Cedar City has adopted the following:
 - A. Smoking is not permitted in any city owned or leased building.
 - B. Smoking is not permitted within twenty-five (25) feet of any building air intake, open window, exit or entrance.
 - C. Smoking is not permitted in a city vehicle. ("Vehicle" includes light and heavy equipment.)
 - D. Smoking is not permitted when performing work duties, only when on designated breaks.

6.10 Department Head Residency Requirements.

- 6.10.1 All department heads must live within Cedar City within one (1) year of being hired.

6.10.2 For purposes of this policy City department heads shall be those employees hired by Cedar City to manage the City's departments as defined by Cedar City Ordinance.

6.10.3 This policy shall not apply to department heads hired prior to the date this policy was adopted, or amended.

Amended by Cedar City Resolution No. 10-0827-1.

Amended by Cedar City Ordinance No. 0608-2016.