

## ETHICS OF PUBLIC EMPLOYMENT

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ORC 102.04, 102, & Ohio Ethics Laws

### A. POLICY

1. All employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the State of Ohio and other rules and regulations as may be set forth by the Employer. It is important to remember that the compensation of all employees is paid through taxes and user fees. Therefore, each employee assumes the responsibility to serve the public in an honest, effective and friendly manner.
2. In recognition of same, no employee shall:
  - a. Use their position for personal gain or engage in any transaction which is in conflict with the proper discharge of the employee's official duties.
  - b. Use or disclose confidential or proprietary information concerning the property, government or affairs of the Health Department without proper legal authorization.
  - c. Solicit or accept 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 any manner whatsoever in business dealings with the Health Department.
  - d. Accept from any person, firm or corporation doing business with the Health Department, any material or service for the private use or benefit of the employee.
  - e. Engage in or accept 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.
  - f. While an employee, or for one (1) year thereafter, represent another person before a public agency on any matter in which the employee personally participated as an employee.
  - g. Receive or agree to receive outside compensation for services rendered in a matter before any office or department of the City unless excepted as provided in ORC Section 102.04.

## Section 7.01

- h. Have a personal interest in a contract with the Health Department or use their position or authority to secure approval of a public contract in which the employee, a member of the employee's family or business associate has an interest.

3. As public health professionals, employees are expected to demonstrate strong, ethical behavior in pursuing the performance of public services by the employees of the GCHD (ORC 3709). The Employer seeks to provide further guidance on what constitutes the ethical practice of Public Health service based upon the work of the Public Health Leadership Society (Public Health Leadership Society (2002). Principals for the Ethical Practice of Public Health v2.2. Retrieved from <http://nnphi.org/> on October 4, 2016.)

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4. In recognition of same, GCHD has adopted the following principles for the Ethical Practice of Public Health:

- a. Public health should address principally the fundamental causes of disease and requirements for health, aiming to prevent adverse health outcomes;
- b. Public health should achieve community health in a way that respects the rights of individuals in the community;
- c. Public health policies, programs, and priorities should be developed and evaluated through processes that ensure an opportunity for input from community members;
- d. Public health should advocate for, or work for the empowerment of, disenfranchised community members, ensuring that the basic resources and conditions necessary for health are accessible to all people in the community;
- e. Public health should seek the information needed to implement effective policies and programs that protect and promote health;
- f. Public health institutions should provide communities with the information they have that is needed for decisions on policies or programs and should obtain the community's consent for their implementation;
- g. Public health institutions should act in a timely manner on the information they have within the resources and the mandate given to them by the public;
- h. Public health programs and policies should incorporate a variety of approaches that anticipate and respect diverse values, beliefs, and cultures in the community;
- i. Public health programs and policies should be implemented in a manner that most enhances the physical and social environment;
- j. Public health institutions should protect the confidentiality of information that can bring harm to an individual or community if made public. Exceptions must be justified on the basis of the high likelihood of significant harm to the individual or others;
- k. Public health institutions should ensure the professional competence of their employees;

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I. Public health institutions and their employees should engage in collaborations and affiliations in ways that build the public's trust and the institution's effectiveness.

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## B. PROCEDURE

1. Any employee in doubt as to the application of this Section or other ethics laws or regulations may seek the advice of the Employer or seek an advisory opinion from the City Law Director and/or Ohio Ethics Commission.
2. Employees shall be provided ~~with a copy of~~access to the Ohio's Ethics Laws, ~~and~~ ORC Section 102, at commencement of employment.
- ~~3. All employees shall take and subscribe to the Oath of Office prescribed in Article IX, Section 9.01 of the City Charter. A copy of the Ethics Laws is contained in Section 9 of this manual.~~
3. Employees shall immediately notify their supervisor or, if appropriate, the Health Commissioner in writing of a violation of this policy.
4. Violations of this policy may be grounds for disciplinary action and/or termination.

## POLITICAL ACTIVITY

5 USC 7321, et seq. (Hatch Act); Hatch Modernization Act of 2012, 5CFR Parts 733-734

### A. POLICY

1. The Hatch Act is a federal law that limits certain political activities of federal employees and some state and local government workers whose salary is funded from federal loans or grants. Covered employees are responsible for complying with the restrictions on partisan political activity contained in the Hatch Act.

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2. No covered employee shall run for nomination to or as a candidate for a partisan political office, except as expressly provided under the law. Covered employees may not conduct partisan political activities in the government workplace or while on duty, in a government vehicle, or while wearing an official uniform. In addition, covered employees may not solicit, accept, or receive partisan political campaign contributions or host a partisan political fundraiser. Employees are urged to seek the advice of the Health Commissioner or the City of Galion Law Director to determine if a particular partisan political activity is permissible under the Hatch Act.

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1-3. Generally - Classified Employees - Classified employees are prohibited by ORC Section 124.57 from engaging in political activity. "Classified employee" for purposes of this section means all employees in active pay status serving in the competitive classified service, whether in certified or provisional status.

2-4. Permitted Activities - Classified employees may engage in the following activities:

- a. Registration and voting;
- b. Expressing opinions, either orally or in writing;
- c. Voluntary financial contributions to political candidates or organizations;
- d. Circulating non-partisan petitions and petitions on legislation relating to their employment;
- e. Attendance at political rallies that are open to the general public;
- f. Signing nominating petitions in support of individuals;
- g. Displaying political pictures, badges, buttons and stickers in their home or private automobiles (but not while on official Employer business).

3-5. Prohibited Activities - Classified employees may not engage in the following activities:

- a. Participation in a partisan election as a candidate for public office;

- b. Declaring candidacy for an elected office which is filled by partisan election, or through a nomination obtained in a partisan primary or through the circulating of nominating petitions identified with a political party;
- c. Circulating official nominating petitions for any candidate;
- d. Holding an elected or appointed office in any political organization;
- e. Accepting appointment to any office normally filled by partisan election;
- f. Campaigning, by writing for publications (including letters to newspaper editors), by distributing political material or by writing or making speeches on behalf of a candidate for elective office;
- g. Soliciting, either directly or indirectly, any assessment, contribution or subscription, either monetary or in kind, for any party or candidate;
- h. Soliciting the sale of or selling political party tickets;
- i. Engaging in partisan activities at the political polls, such as soliciting votes (for other than non-partisan candidates), assisting voters to mark ballots or transporting or helping get the voters out on election day (for partisan issues only);
- j. Acting as a recorder, checker, watcher, challenger, judge or board of election poll worker for any party or partisan committee;
- k. Participating in political caucuses of a partisan nature; and
- l. Participating in a political action committee which supports partisan activity.

4-6. All employees, regardless of status, should be aware that certain non-partisan offices or positions have been deemed by the Attorney General and/or the Employer to be incompatible with certain other offices or positions and therefore cannot be held simultaneously.

5-7. For all purposes of this prohibited activity section, a seat on Galion City Council shall be considered a partisan election.

## **B. PROCEDURE**

1. Any employee desiring to seek or accept any public position or office should inform the ~~City Manager~~ Health Commissioner, who may request an opinion in advance from the City of Galion Law Director.

1-2. Employees are urged to seek the advice of the Health Commissioner or the City

of Galion Law Director to determine if a particular partisan political activity is permissible under the Hatch Act.