



any kind is expected, expressed or implied by the donor. Money shall not be accepted under any circumstance.

#### **IV. STANDARDS OF CONDUCT**

##### **A. STATE STATUTES**

The *Florida Code of Ethics* applies to all public officers and public employees in the State of Florida, and it is enforced by the Commission on Ethics and the State Attorney's Offices. Section 112.313(2), *Florida Statutes*, states that all public employees are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service that is based on an understanding that an official action or exercise of discretion or judgment by the employee would be influenced by such a gift. The prohibition applies to gifts offered or made directly to the public employee, or indirectly to his or her relative.

City employees who have administrative, purchasing or financial responsibilities that require the employee to file *Financial Disclosure Form 1 or Form 6* with the State of Florida are subject to more detailed restrictions which are enforced by the Commission on Ethics and all such employees are expected to be aware of and conform to those restrictions.

State law also prohibits public employees and officers from misusing their position or employment by corruptly using or attempting to use their official positions or resources to obtain a special privilege or benefit for themselves or others.

##### **B. CITY CODE OF ETHICAL CONDUCT**

All City employees are expected to conduct themselves while on and off-duty in a manner which does not erode public confidence in the City government or bring the City into disrepute. The solicitation or acceptance of gifts or anything of value from the public at large or a person or entity that does business or has a relationship with the City under circumstances that involves or implies a quid pro quo is to be avoided at all times. The following principles should be followed in all situations, and a violation of this policy can lead to disciplinary action:

1. City employees must comply with the *Florida Code of Ethics* at all times.
2. Employees cannot use their public office or employment for private gain, apart from the receipt of wages or salary from the City or other employment authorized by the City.
3. Employees may not accept any gift or other benefit which would appear to compromise the independence or impartiality of their job responsibilities or which would adversely affect the confidence of the public in the integrity of the City of Pensacola.

4. Employees may not receive compensation from any source other than the City of Pensacola for performing official duties for any work performed on behalf of or in connection with official City business.
5. Employees may not accept an offer of food or beverages involving a value of more than \$100.00, as authorized by Chapter 112, *Florida Statutes*.

The following activities will not be deemed to violate the restrictions of this policy:

1. Long established practices and acts of charity such as soliciting, accepting or donating leave to a fellow employee or leave pool pursuant to City procedures.
2. Solicitation of charitable contributions for co-workers or others in need as approved by the City.
3. Employee recognition practices of the City of Pensacola and of the business community toward City employees.
4. Invitations to public events extended to City employees.
5. Awards, plaques, certificates, mementos, or similar items given in recognition of an employee's civil, charitable, professional or public services.

## **V. PROCEDURES**

Employees involved in circumstances that may result in a violation of this *Gift Policy* should seek consultation and guidance from their supervisor, department or division head, or other City official at the earliest opportunity. Choices of conduct which do not appear to be clear-cut must be resolved by rejecting the proffered gift or item of value and disclosing the circumstance to the supervisor.

Employees who have received gifts or anything of value which subsequently appears to have violated this policy must immediately disclose the situation to their supervisor or department or division head, and return the gift to the donor or reimburse the donor for the value of the gift where return is not possible.

## **VI. RESPONSIBILITY**

1. The Human Resources Division is responsible for providing training on this policy to all new-hire employees during orientation.
2. The HR Division is also responsible for reviewing this policy annually and recommending revisions.
3. Department Directors/Division Administrators are responsible for ensuring that their employees are familiar with the standards outlined in this policy and the procedures for reporting violations.

## **VII. REVIEW**

This policy shall be reviewed annually in the month of November and the results shall be reported to the City Administrator by November 30.