

Questions About the City of Tumwater's Ethics/Whistleblower Policy

ABOUT ETHICS

Q: If a City employee is offered a free lunch to discuss a party's concerns with a future City action controlled or influenced by that employee, is that ok?

A: No. A reasonable interpretation could conclude that the benefited City employee could be unduly influenced by acceptance of the lunch.

Q: If a City employee or department receives a food gift as a holiday occurrence or as recognition of good service, what should be done?

A: Such gifts should not be encouraged; however, if food items are received, a general sharing of the contents among employees and the public would be appropriate.

Q: If a member of the public offers a gift such as an expensive set of pens out of appreciation for a service provided, is there any way that the gift can be accepted so as not to offend the gift giver by rejecting the gift?

A: Gifts should not be encouraged. But if they are volunteered, they can be accepted as City property. If accepted, they must be turned into the Finance Department, where a decision will be made about the items. Options for the Finance Department could include issuing the gift back to the department for use as city property; handling the item as surplus property; or arranging to donate the item to a charitable organization.

Q: What "rule of thumb" can I use in making decisions about gifts?

A: There are two guidelines that can help in this determination: 1) the significance or financial value of the gift and 2) the context of the gift giving. To illustrate, while it would be ethical for the Fire Department to occasionally accept surplus food that is delivered to the station from a local restaurant, it would not be ethical for a Fire Department employee to accept food while inspecting the restaurant or to allow the restaurant to "pick up the tab" when he has gone there to buy a meal either on or off duty. Further, while a gift of an expensive set of pens poses ethical problems, inexpensive pens, calendars, or other promotional items that businesses generally made available to the public do not pose an ethical problem.

Q: If I am offered a discount on merchandise or services because I am a City of Tumwater employee, can I accept it?

A: No, generally speaking you should not accept any discount that is narrowly focused on your status as a Tumwater employee. If the discount were offered generically to all municipal employees, that would be acceptable.

Q: Should a City vehicle be used for dropping off a child at day care while going to work, or for other similar private purposes?

A: No. City resources should not be used for private purposes of any kind.

Q: If a City employee is asked to help interview firms interested in a City contract and that employee worked at one of the firms within the last year, what should that employee do?

A: The employee should respectfully decline the offer, indicating a conflict with the City Code of Ethics.

ABOUT WHISTLEBLOWING

Q: Why is the City adopting a policy on whistleblowing?

A: The Washington State Legislature passed SSB 6321, requiring cities to have a whistleblowing policy in effect by January 1, 1993.

Q: If a City employee becomes aware of an improper government action, to whom could they report or whistleblow?

A: To the City's Administrative Services Director or to another government agency which has some connection or overview responsibilities for the event.

Q: If the Whistleblowing Policy is not being followed correctly by City officials, is there recourse?

A: Yes. An aggrieved person can file a complaint to the City's Administrative Services Director. The complaint can be reviewed by an independent Administrative Law Judge.

Q: Is a City employee at risk of being retaliated against by City officials and employees because of whistleblowing?

A: No. The City policy directly prohibits retaliatory action and sets out a complaint process for violations which can become independent of City jurisdiction.

Q: Who are the contacts for reporting whistleblowing?

A: The City's Administrative Services Director or the list of other governmental agencies incorporated into the Ethics/Whistleblower Policy.