

MUNICIPAL GOVERNMENT CODES OF ETHICS: A CONTENT ANALYSIS

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ABSTRACT

A code of ethics is a written compilation of standards of conduct that represent values collectively imposed on individuals by organizations, professional associations, or political jurisdictions. Codes of ethics can support the independence of government officials and help administrators resist inappropriate outside influence. With this in mind, the research purpose is three-fold: 1) to describe the types of information that should be included in a municipal government code of ethics; 2) to assess the information contained in U.S. state capitol city codes of ethics; 3) based upon this assessment, make recommendations for improving municipal codes of ethics.

The methodology used to achieve the research purpose is content analysis. Content analysis is utilized to study the communication of elements in codes of ethics from 31 of the 50 state capitol cities that responded to requests to provide a copy of their city's code of ethics for research. The communication of 37 individual elements was measured by gauging the codes of ethics against a practical ideal type code of ethics made up of 4 ideal type categories that were developed directly from professional literature. The 4 ideal type categories are **personal honesty, politics/law, training, and procedural/technical**. Data from gauging the codes of ethics against the practical ideal type were recorded through the use of a manifest content coding sheet developed directly from the conceptual framework.

The findings of the research indicate that no analyzed code of ethics contained all 37 elements prescribed by the practical ideal type code of ethics. Only one code of ethics contained between 26 to 30 of the ideal type elements (3.2%). The majority of the 31 codes of ethics contained 11 to 15 of the prescribed elements (38%). The results reveal an enormous variation in the construction and quality of codes of ethics with regard to content.

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CHAPTER 1

INTRODUCTION / RESEARCH PURPOSE

A code of ethics is a written compilation of standards of conduct that represent values collectively imposed on individuals by organizations, professional associations, or political jurisdictions (Cooper, 1982:105). According to Dobel, in a municipality, a code of ethics can support the independence of government officials and provide direction and advice on complicated issues. In addition, a code of ethics helps managers resist inappropriate outside influence (Dobel, 1993:159). To illustrate the effects of outside influence on public administrators, and the benefits of having a code of ethics as an administrative tool for practitioners, consider the following scenario.

“What To Do About Mrs. Carmichael” *

Mr. Harmon has been appointed by the Municipal Redevelopment Agency (MRA) as assistant project director with primary responsibility for determining which houses in an older community qualify for either a renovation grant or demolition. One home that qualifies based upon building codes for demolition belongs to an 83 year old woman named Mrs. Carmichael. Also a relative of Harmon's, Mrs. Carmichael, a widow, has lived in the home for thirty years and the mortgage has been paid off. Some time ago, Mrs. Carmichael began to neglect repairs on her home as her money shrank in value, year by year. The condition of the house, according to the standards, should be demolished. However, Harmon cannot bring himself to recommend the destruction of his relative's home. This redevelopment project being Harmon's fourth, he has seen elderly

* Cooper, Terry L., 1982, pages 55-60. Some details in “What To Do About Mrs. Carmichael” have been adapted.

people suffer when their homes are taken from them. Therefore, Harmon reports to the administrator in charge his concerns about marking Mrs. Carmichael's home for demolition.

As a public administrator charged with making a life-changing decision for Mrs. Carmichael and her house, the administrator has to clarify the situation before arriving at a decision. From an objective standpoint, the criteria for determining substandard buildings are well defined in the agency guidelines. The laws related to the redevelopment project clearly authorize the demolition of substandard structures. Also entering into the administrator's decision is the fact that he is paid to make a decision and to make a recommendation in this case, a responsibility that cannot be ignored.

From a subjective standpoint, the administrator's personal attitudes and values toward older people are of deep respect. Knowing that Mrs. Carmichael's future in her house depends upon his decision, Harmon develops a series of questions to help him consider the issues. The first question is whether an exception can be made for demolishing Mrs. Carmichael's home. The second question he must ask himself is would making an exception for Mrs. Carmichael jeopardize the entire project, considering other individuals may also express the desire for an exception for their property? Another consideration is whether Mrs. Carmichael could qualify for a personal loan to improve the conditions of her residence. Also, if the home is demolished and Mrs. Carmichael is compensated, would the amount of compensation allow her to live out the rest of her life comfortably? Harmon seeks answers to these questions that satisfy his wish to resolve the problem without harming Mrs. Carmichael, but which balance his own responsibilities to the public (Cooper, 1982:55-60).

The case of Mrs. Carmichael is an example of a public administrator faced with conflicting responsibilities, compounded by conflicts among several roles. It is an example of a regular, if not daily, experience for public administrators. In determining the best course of action, an administrator may respond to the most definitive sources of objective responsibility such as a superior, the law, or both. On the other hand, subjective responsibility and deep-seated feelings and values may be the decisive factors (Cooper, 1982:60). In some cases, the law may not be defined, or sufficient enough to take into consideration all the unique factors of a situation. In a case such as this, having a municipal code of ethics with clearly defined guidelines can assist a public administrator in making decisions in a more intentional and rational manner. In the case of Mrs. Carmichael, a public administrator would benefit from having a well-developed code of ethics that guided him to make decisions even though a personal conflict of interest existed. At the very least, in the Carmichael example, a well-developed code of ethics would lend direction on how Harmon could determine if a conflict of interest existed, and how to declare a personal conflict of interest. The code of ethics can aid an administrator in working through the decision making process and arriving at a recommendation that meets the responsibility of the job, while satisfying the need for consistency in making value based decisions.

This example illustrates the usefulness of having a well-developed code of ethics. Thus, a research purpose was developed to establish a tool that could be used by practitioners to assess their respective city's municipal government codes of ethics.

Research Purpose

Research of municipal codes of ethics is important to the field of public administration. The purpose of this research is to establish a tool for use by public administrators to assess municipal government codes of ethics. With this in mind, the research purpose is three-fold: 1) to describe the types of information that should be included in a municipal code of ethics; 2) to assess the information contained in state capitol city municipal codes of ethics; 3) based upon this assessment, to make recommendations for improving municipal codes of ethics.

Chapter 2 discusses the development of municipal codes of ethics including an introduction to ethics in public administration; a historical perspective of codes of ethics; a description of the functions of codes of ethics; and the advantages and disadvantages of codes of ethics. The components of municipal government codes of ethics are revealed in Chapter 3. Included in this chapter is the conceptual framework that contains ideal type categories and a discussion of the prescribed elements of municipal codes of ethics. The methodology and a discussion of the operationalization of the data are addressed in Chapter 4. In Chapter 5, the results of the research are presented. Finally, Chapter 6 summarizes overall results and recommends improvements for municipal codes of ethics.

CHAPTER 2

DEVELOPMENT OF MUNICIPAL CODES OF ETHICS

The purpose of this chapter is to discuss the development of municipal codes of ethics. This discussion includes an introduction to ethics in public administration; a historical perspective on codes of ethics; a description of the functions of codes of ethics; and an explanation of the advantages and disadvantages of codes of ethics.

Introduction to Ethics in Public Administration

Among the many definitions of the term ethics, applied to the field of public administration, Van Wart states that:

ethics is doing the right thing, that is, acting on the right values. This also means not acting on the wrong values. At a minimum, being ethical means following reasonable social, legal, and moral norms. For public administrators, legal norms are especially important, since they are themselves agents and executors of the law. And when it comes to their special areas of jurisdiction, public administrators are expected to be fully and faithfully compliant with the law. Ethical behavior can also be seen as meeting and exceeding the standards of society and one's profession. The term ethical, as used in normal parlance, signifies someone who is an exemplar of ideal behavior. This means that the individual not only complies with general legal and organizational norms, but also achieves a high standard of excellence and works hard to fulfill social, organizational, and altruistic ideals (Van Wart 1998:316).

The term ethics also generally implies a high standard of personal morality, has a special relationship for individuals who are employed in the public sector.

Because municipal employees are public servants, it is important for these individuals to adopt an integrated stance to ethics. Garofalo and Geuras assert that public administrators who adopt an integrated stance to ethics:

internalize a perspective that comprehends the ethical and technical aspects of their duties and obligations, and as a result, are able to express, reflect, and

advocate normative concerns in both management and policy (Garofalo and Geuras, 1999:132).

For public administrators whose duties are to express and advocate normative concerns in management and policy, a foundation of support can be found with the evolution of codes of ethics.

Codes of Ethics—A Historical Perspective

Since Hammurabi, Moses, and Hippocrates, codifiers and executors have operated on the theory that it is easier to do the right thing when one knows what that is. As a result, codified standards of conduct have become a popular vehicle for clarifying minimum expectations about acceptable behavior (Lewis, 1993: 136).

By definition, codes of ethics, or standards of conduct, are a form of external control that represent values collectively imposed on individuals by organizations, professional associations or political jurisdictions. Since municipalities themselves may have unique forms of government, it is not unexpected that there are tremendous variations in the codes of ethics. As a result, Cooper maintains that:

codes vary considerably and may include specific concrete sanctions of legislation, and others may be much broader in the types of conduct covered. Codes also vary in their sanctioning power and mechanisms for enforcement. Many codes of ethics carry only the authority of professional peer esteem and have no formal means for enforcing their prescriptions (Cooper, 1982: 105).

Despite the lack of uniformity between municipal codes of ethics, Roberts suggests that comprehensive ethics codes now apply to the vast majority of municipal government employees (Roberts, 1999: 21).

One of the results of widespread cynicism and distrust of American government is the proliferation of ethics codes. Codes of ethics are supposed to increase confidence in government by reassuring citizens that private power and interest do not subvert

government decisions (Dobel, 1993: 158). Roberts suggests that support for adoption of stronger codes of ethics increased after ethics problems were experienced by high-level officials who worked for Presidents Truman and Eisenhower. It was believed that the new codes would help prevent employees and officials from becoming involved in situations where the public questioned their objectivity or impartiality (Roberts, 1999:28). With widespread public support, codes of ethics serve an important function in municipal government.

Functions of Codes of Ethics

A well-crafted ethics code can accomplish a number of vital public purposes. Broadly, the code can help support or restore public trust and the legitimacy of government. It accomplishes this purpose by limiting the ability of private power and interest to undermine fair access to government or the independent judgement of public officials. An ethics code also supports the independence of government officials and can provide direction for public administrators on complicated issues. A code is a resource that helps managers and public officials identify and clarify issues. In addition, a code helps managers resist inappropriate outside influence (Dobel, 1993: 159). The functions and roles of codes of ethics are also supported by cases decided by the Supreme Court.

The Supreme Court has played a major role in defining the nature of the law relevant to public ethics. Strict ethics codes for public employees seek to protect citizens from unconstitutional conduct by officials (Roberts, 1999:20). Over the years, the Court has shifted from providing absolute immunity to public officials (*Spalding versus Vilas*, 1896), to ruling in *Bivens versus Six Unknown Named Federal Narcotics Agents*, 1971,

that government officials can be held liable for monetary damages for their unconstitutional conduct (Roberts, 1999:22-23). Even with ethics laws, violations of public trust still occur. Nevertheless, on the whole, public service has improved through the establishment of conduct boundaries (Cooper, 1982:106-107). There are, however, advantages and disadvantages for ethics legislation and professional codes of ethics.

Advantages of Codes of Ethics

There are numerous advantages and arguments for adopting and utilizing a code of ethics. Cooper maintains that the first major advantage of adopting and utilizing a code of ethics is codes of ethics can go much further than legislation in projecting ideals, norms, and obligations for particular professional groups. Whereas ethics laws generally focus negatively on conflict of interest in their prescriptions, codes of ethics can prescribe in a positive fashion the highest expectations for performance. Codes are able to project the loftiest values of a profession that legislation is often unable to accomplish (Cooper, 1982:108-109).

Ethics codes can also address or be tailored to particular situations experienced by a profession, a second advantage of adopting and utilizing a code of ethics. Codes of ethics can be more particular in addressing a specific audience by providing a mechanism for clarifying and internalizing the values of a professional group (Cooper, 1982:108-109).

A third advantage of adopting and utilizing a code of ethics, according to Chandler involves the community. Because judgements about right and wrong are community decisions, the community or profession is the arbiter of determining what is

ethical. The community looks at the nature of an act in order to decide whether it is moral or not. As a result, administrators are invited to be ethical and make choices and judgements that are reinforced by a code of ethics (Chandler, 1983:34).

Disadvantages of Codes of Ethics

There are also disadvantages and arguments against adopting and utilizing a code of ethics. Cooper asserts that the first major criticism against codes of ethics is that codes are often so vague, abstract, and lofty that they can be difficult to apply in certain situations in which ethical guidance is needed (Cooper, 1982:109).

A second criticism of adopting and utilizing a code of ethics is that administration should not have the responsibility for enforcing morality within an organization. According to Chandler, civil servants should be accountable only for their ability to conscientiously execute the stated requirements or duties of the position (Chandler, 1983: 33).

Cooper suggests a third criticism of codes of ethics is that codes are weak and have no means for gaining compliance from the members of the profession. Also, codes may often lack the operational and enforcement structures and procedures necessary to enforce the ethical guidelines spelled out in the codes of ethics (Cooper, 1982:109-110). With the tremendous variation in codes of ethics, it is important to research the topic of municipal codes of ethics to determine what components should be included in a practical ideal type municipal code of ethics. The components of codes of ethics are found in the conceptual framework chapter that follows.

Chapter 3

Conceptual Framework/Code of Ethics Components

The purpose of this section is to develop a conceptual tool to assess municipal codes of ethics. The conceptual framework links the research question to the larger body of literature and provides theoretical structure for the empirical portion of the applied research project. The literature reviewed for this project reveals little formal research on the contents of municipal codes of ethics. Therefore, the practical ideal type categories, **Personal Honesty, Politics/Law, Training, and Procedural/Technical**, have been developed from the literature to gauge whether selected municipal codes of ethics contain the prescribed elements.

Shields (1998) states that the practical ideal type conceptual framework serves to address many of the issues raised by formative program evaluation. Formative program evaluation is made possible after the review of literature identifies recommended components of municipal codes of ethics. These recommended elements or components of municipal codes of ethics are derived from the International City/County Managers Association (ICMA) code of ethics and the American Society for Public Administration (ASPA) code of ethics. These two organizations' codes of ethics were used as models for the construction of the ideal type categories as a result of ICMA's and ASPA's general acceptance and notoriety in the field of public administration. From these two organizations' codes of ethics, a significant portion of the identifiable "should criterion" for the conceptual framework is developed.

The specific items identified in the review of the literature as recommended elements of codes of ethics are classified into four practical ideal type categories. Shields

notes that practical ideal type categories provide benchmarks for policies to be viewed as a standard or point of reference. Shields also points out that the practical ideal type categories allow for flexibility since the elements of the ideal type categories are not rigidly fixed (Shields, 1998:219). The four practical ideal type categories of municipal codes of ethics are: 1) **Personal Honesty**; 2) **Politics/law**; 3) **Training**; and 4) **Procedural/Technical**. The ideal type categories in **Table 3.1** are developed from and linked to literature that supports the inclusion of the practical ideal type components contained in municipal codes of ethics.

Table 3.1	Conceptual Framework	
Ideal Type Category	Ideal Type Component	Supporting Literature
<u>Personal Honesty</u>	<p>Conflict of Interest</p> <p>Financial Disclosure</p> <p>Gifts</p> <p>Private Employment</p>	<p>ASPA III #1 ASPA III #3 ICMA #12 Lewis (1993) Williams (1985)</p> <p>ICMA # 12 National Municipal League (1979)</p> <p>ICMA # 12 Benson (1989) National Municipal League (1979)</p> <p>ICMA #12 Benson (1989) National Municipal League (1979)</p>
<u>Politics/Law</u>	<p>Complaints/Investigation</p> <p>Discipline/Code Enforcement</p> <p>Elections/Political Activity</p> <p>Equal Employment / Affirmative Action</p> <p>Nepotism</p>	<p>ASPA IV #4 ASPA IV #6 Gordon (1984) Mathis and Jackson (1991) Mesch (1995)</p> <p>ASPA IV #3 ASPA IV #6 Benson (1989) McAfee & Chadwin (1981) The Employee Handbook (1990)</p> <p>ICMA #7 National Municipal League (1979)</p> <p>ASPA I #2 ASPA II #7 ICMA #11 Eisaguirre (1999) Short (1997) Singer (1990)</p> <p>ICMA #12 Bureau of National Affairs (1988)</p>

Ideal Type Category	Ideal Type Component	Supporting Literature
<u>Politics/Law continued</u>	<p>Sexual Harassment</p> <p>Whistle-blowing</p>	<p>ASPA I #2 ASPA II #3 Bureau of National Affairs (1988) James (1981) Mathis & Jackson (1991) Strickland (1995)</p> <p>ASPA II #6 ASPA IV #4 Bowman & Ellison (1988) Newton & Ford (1992)</p>
<u>Training</u>	<p>Ethics Training</p> <p>Acknowledgement Statement</p>	<p>ASPA V #1 ASPA V #2 ICMA #8 Benson (1989) Lais (1997)</p> <p>Watermann (1992)</p>
<u>Procedural/Technical</u>	<p>Purpose Statement</p> <p>Definitions</p> <p>Table of Contents</p>	<p>Olson (1998)</p> <p>Olson (1998)</p> <p>Chicago Manual of Style (1993)</p>

Ideal Type Category: Personal Honesty

Personal honesty emerged from the literature as an ideal type category based upon the public administrator's responsibility to being a moral actor committed to regime values (Garofalo and Geuras, 1999:131). Sheeran asserts that as public servants, the key to ethical responsibility involves a willingness to assume personal responsibility for doing the right thing (Sheeran, 1993:151). The ideal type components in the **Personal Honesty** category reflect society's dependence on an individual's ability to make ethical decisions. The first ideal type component of the ideal type category **Personal Honesty** is Conflict of Interest.

Conflict of Interest

Conflict of interest guidelines are important to public officials. One of the first specific references to conflict of interest principles came from John F. Kennedy's outlining of conflict of interest statutes in his message to Congress on April 27, 1961. Kennedy pointed out that the ultimate answer to ethical problems in government is honest people in a good ethical environment (Lewis, 1993:137). However, as Lewis points out, because government officials have become anxious about the subject of conflict of interest, democratic governments began to seek a solution to the problem of conflict of interest (Williams, 1985:1).

At the heart of most definitions of conflict of interest is the notion that conflict of interest denotes a situation in which an official has a private financial interest sufficient to influence, or appear to influence, the exercise of her public duties and responsibilities. As Williams summarizes:

the concept of conflict of interest is applicable not only to situations where a conflict actually exists, but also where it appears to exist. A charge of conflict of interest may arise not only when public duty clashes with private interest, but also when they appear to converge. Allegations of conflict of interest can have damaging repercussions not just for the personal, professional or political future of the individual involved, but also for the image and effectiveness of the public body to which she belongs. Thus, a fundamental long-term goal of conflict of interest regulations is to maintain the actuality and appearance of a high standard of ethical conduct in the public service (Williams, 1985: 6-17).

A code of ethics should direct public administrators to maintain truthfulness and honesty and not compromise ideals for personal advancement or personal gain (ASPA III, #1, ICMA #12). Also, a code of ethics should direct public administrators to zealously guard against conflict of interest or the appearance of conflict of interest (ASPA III, #3).

In summary, the following items deal with conflict of interest and should be included in municipal government codes of ethics. (See **Table 3.2**).

TABLE 3.2
CONFLICT OF INTEREST POLICY

Explanation of the city's conflict of interest policy
Instructions for declaring a conflict of interest
A list of prohibited acts which constitute a conflict of interest
A list of exceptions/exemptions which do not constitute a conflict of interest

The next component identified by experts as a necessary inclusion to municipal codes of ethics is financial disclosure.

Financial Disclosure

Public confidence in the impartiality and independence of government officials and employees is essential for the sound functioning of a democratic government. To maintain such confidence, the business of government and personal business must remain separate. One means for assuring this separation is to require public officials to regularly

disclose their private holdings and earnings by signing a financial disclosure statement (National Municipal League, 1979: 1-16).

Financial disclosure statements can be completed by category or by amount. Disclosure by category produces more information the public can use to judge the behavior of its public officials. Categorical disclosure usually includes significant reportable holdings and income from sources such as property, securities, debt, or ownership of a business. Because financial disclosure by amount is not as effective at pinpointing with accuracy the net worth of a public official, the National Municipal League suggests avoiding “amount” as a method of disclosure (National Municipal League, 1979: 17-26).

According to ICMA Principle 12, a public administrator should not invest or hold any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict with their official duties. This guideline recognizes that an administrator’s official actions and decisions can be influenced if there is a conflict with personal investments. Accordingly, if an investment has the potential to affect an administrator’s decisions, disclosure is necessary (ICMA Principle 12).

In summary, the following items deal with financial disclosure and should be included in municipal government codes of ethics. (See **Table 3.3**).

TABLE 3.3
FINANCIAL DISCLOSURE

A statement of the city’s financial disclosure policy
A statement detailing who must file a financial disclosure statement
A statement informing employees, what, when, and where to file a financial disclosure statement

The next component identified by experts as a necessary inclusion to municipal codes of ethics is gifts.

Gifts

The solicitation or acceptance of gifts by or for public officials can threaten the appearance of impartiality and independence of government officials. In the case of government officials, a gift can constitute an economic opportunity, financial loans other than from a regular lending institution on terms generally unavailable to others, special favors, hospitality, or services for the official or a member of his family (National Municipal League, 1979: 32). According to Benson, most of the codes adopted in the 1980’s allow for the receipt of gifts or entertainment as a matter of “normal” social relationships, with most setting a limit from \$25 to \$200 (Benson, 1989: 311).

According to ICMA Principle 12, public administrators should not directly or indirectly solicit any gift or accept or receive any gift (as previously described above) under the circumstances where it could be reasonably inferred or expected that the gift was intended to influence performance of official duties, or that the gift was intended to serve as a reward for any official action (ICMA Principle 12). It is important that the prohibition of gifts be focused on improper influence, or the appearance of improper influence.

In summary, the following items deal with gifts and should be included in municipal government codes of ethics. (See Table 3.4).

TABLE 3.4
GIFTS

A statement of the city’s policy on giving/receiving gifts
A statement that defines what constitutes a gift
A statement informing employees how to declare a gift if a gift was accepted

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is private employment.

Private Employment

Private employment or business relationships between public administrators and private business can threaten the appearance of impartiality for public employees. For public administrators, a potential conflict of interest may exist between official public duties and private employment if the employee seeks employment with, or allows himself to be employed by, any business that is or may be regulated by a department or agency which he serves (National Municipal League, 1979: 29).

According to ICMA Principle 12, public administrators should not engage in, solicit, negotiate for, or promise to accept private employment, nor render services for private interests when such employment or service impairs the proper discharge of their duties (ICMA Principle 12). Benson maintains that any relationship between a public administrator and private employment interests has the potential to be adverse to the best interests of the agency, even though such interest or relationship does not result in any financial loss (Benson, 1989:312).

In summary, the following items deal with private employment and should be included in municipal government codes of ethics. (See **Table 3.5**).

TABLE 3.5
PRIVATE EMPLOYMENT

A statement of the city's private employment policy
A statement that defines what constitutes outside employment

The next set of ideal type components belong to the ideal type category **Politics/Law**. The first component in **Politics/Law** identified by experts as a necessary inclusion to municipal government codes of ethics is complaints/investigations.

Ideal Type Category: Politics/Law

Politics/Law emerged from the literature as an ideal type category because public administration is tied to both the constitution and the law. Since public employees serve the public beyond serving oneself, public administrators are responsible for supporting government constitutions and laws that define responsibilities of public agencies, employees, and all citizens. In this regard, public administrators commit themselves to understanding and applying legislation in an effort to promote fairness and equality (ASPA Code of Ethics). The first ideal type component of the ideal type category **Politics/Law** is Complaints/Investigation.

Complaints/Investigation

Since the goal of a code of ethics should be to promote ethical behavior, one means of accomplishing this goal is to give public employees and citizens an outlet for dissent. Complaints occur when employees or citizens want to note an alleged violation. Mathis and Jackson suggest that complaints (while formal) are less drastic than the formal grievance settlement route (Mathis and Jackson, 1991:512). Gordon maintains that having a documented procedure for employees to express complaints can have a positive effect on employee relations. Established complaint procedures are a sign of attention to employee concerns (Gordon, 1984: 758-759).

Once a complaint is filed, it is important to have a formalized method of investigation that all parties consider fair and open. Mesch asserts that it is essential that a code of ethic's policies and procedures for filing and handling complaint procedures are conveyed and interpreted for all employees. The investigation process should center on

promotion of due process procedures and equal treatment for employees (Mesch, 1995: 23).

A code of ethics should provide direction for public employees to file a formalized complaint that alleges a violation of the ethics code with the assurance of due process and safeguards against reprisal (ASPA IV, #4). Also, ASPA Principle IV, #6 commits organizations to promote organizational accountability through appropriate controls and procedures such as an established complaint investigation process (ASPA IV, #6).

In summary, the following items deal with complaints/investigation procedures and should be included in municipal government codes of ethics. (See **Table 3.6**).

TABLE 3.6
COMPLAINTS/INVESTIGATIONS

A statement detailing the procedure for filing a formal, written complaint alleging a violation
A statement describing how complaints/violations will be investigated

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is discipline/code enforcement.

Discipline/Code Enforcement

Discipline is an employee sanction that occurs when employees encounter problems with performance or personal conduct. Employees who fail to conform to proper standards often find themselves confronted with organizational procedures designed to return them to acceptable behavior or performance (The Employee Handbook, 1990: 261). McAfee and Chadwin argue that the inclusion of discipline policies in codes of ethics is essential because such policies clarify the possible

repercussions of unacceptable behavior. The objective of written discipline policies is to guide employee behavior (McAfee and Chadwin, 1981:35). Employee discipline for violations of ethics principles may include reprimand, termination, suspension, or demotion (Benson, 1989: 314).

A code of ethics should have established policies that hold individuals accountable for their conduct (ASPA IV, #3). Also, ASPA Principle IV #6 states that a code of ethics should promote organizational accountability through appropriate controls and procedures (ASPA IV, #6).

In summary, the following items deal with employee discipline and code enforcement and should be included in municipal government codes of ethics. (See **Table 3.7**).

TABLE 3.7
EMPLOYEE DISCIPLINE/CODE ENFORCEMENT

A statement describing how disciplinary actions are implemented
A statement regarding due process for employees who are accused of violating a regulation

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is elections/political activity.

Elections/Political Activity

Because public employees have the responsibility to remain impartial for the constituents they serve, public administrators are often restricted in their abilities to engage in political activity. As members of the public, public administrators share with their fellow citizens the right and responsibility to voice their opinion on public issues. Nevertheless, the National Municipal League suggests that public administrators should

not participate in any political activities such as fundraising, endorsing candidates, or making financial contributions to the campaigns of individuals who may eventually represent the city in an official capacity (National Municipal League, 1979:33). Engaging in these types of activities has the potential to create a conflict of interest for the public administrator.

According to ICMA Principle #7, public administrators should maintain a reputation for serving equally and impartially all members of the governing body of the local government they serve. Public officials should not engage in active participation in the election campaign on behalf of or in opposition to candidates for the governing party (ICMA Principle #7).

In summary, the following items deal with elections/political activity and should be included in municipal government codes of ethics. (See **Table 3.8**).

TABLE 3.8
ELECTIONS/POLITICAL ACTIVITY

A statement of the city’s political activity policy to educate employees who seek elective office
A statement detailing regulations that allow/restrict employee participation in political campaigns while employed by the city

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is equal employment opportunity/affirmative action.

Equal Employment Opportunity/Affirmative Action

The basic purpose of employment laws is to correct the social injustices inflicted upon particular groups. Equal employment opportunity and affirmative action laws attempt to eliminate employment practices that lead to discrimination against employees on the basis of sex, religion, race, color, national origin, age, and handicap status (Short,

1997:46). Eisaguirre defines affirmative action as public or private actions or programs that provide or seek to provide opportunities or other benefits to persons on the basis of, among other things, their membership in a specified group (Eisaguirre, 1999:1).

The nature of equal employment opportunity legislation is derived from the Civil Rights Act of 1964 (Title VII) which was amended by the Equal Employment Opportunity Act of 1972. This act forbids discrimination in areas of employer-employee relations including: hiring, terms or conditions of employment, union membership and representation, and the provision of referral services (Singer, 1990:32).

Both the ASPA and ICMA codes of ethics include language dealing with anti-discrimination and affirmative action. ASPA Principle I, #2 states that public administrators should oppose all forms of discrimination and promote affirmative action (ASPA I, #2). ASPA Principle II, #7 also states that public officials should promote constitutional principles of equality, fairness, and representativeness (ASPA II, #7). ICMA Principle #11 states that public officials should handle all matters of personnel on the basis of merit so that fairness and impartiality govern an administrator's decisions pertaining to appointments, pay adjustments, promotions, and discipline. Public administrators should also promote programs of affirmative action at every level within the organization (ICMA #11).

In summary, the following items deal with equal employment opportunity/affirmative action and should be included in municipal government codes of ethics. (See **Table 3.9**).

TABLE 3.9
EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION

A statement detailing the city's policy relating to equal employment opportunities/affirmative action
A statement emphasizing that hiring practices be made in accordance with established federal, state, and local equal employment opportunity laws and regulations
A statement emphasizing non-discrimination against applicants/employees based upon race, sex, religion, disability, and sexual orientation

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is nepotism.

Nepotism

The Bureau of National Affairs states that anti-nepotism rules are used by public employers to prohibit or restrict the hiring and/or retention of employees who are related by birth or marriage. Under these rules, applicants for employment may be rejected solely because a relative already is employed where the applicant is applying, and employees who marry co-workers may be asked to resign or transfer to another department (Bureau of National Affairs, 1988:20). One reason given for restricting the hiring and/or retention of related employees is unjustifiable promotions and rewards. Another argument cited for not allowing nepotism is the negative reaction from relatives when management disciplines or criticizes another relative (Bureau of National Affairs, 1988:12). However, depending upon variables such as a community's size and location, a code of ethics' nepotism policy may be altered.

In towns located in geographically remote areas, public employers may experience problems attracting talented employees who are part of two-career couples if spouses are excluded from employment. Similar problems may exist due to the size of

the labor pool in small communities if relatives of employees are excluded from employment (Bureau of National Affairs, 1988:11). Therefore, public employers should have an anti-nepotism policy that is broad enough to serve as a guideline for dealing with employees who are relatives, or are in relationships with other workers.

A municipal government code of ethics should contain language that addresses nepotism in the workforce. ICMA Principle #12 advises that public administrators should require that employees disclose any personal relationship in any instance where there could be the appearance of conflict of interest (ICMA #12). The Bureau of National Affairs suggests that in cases where safety and security are of an overriding concern, it may be advisable to refuse to place one spouse under the direct supervision of the other spouse (Bureau of National Affairs, 1988:Appendix D-2).

In summary, the following items deal with nepotism and should be included in municipal government codes of ethics. (See **Table 3.10**).

TABLE 3.10
NEPOTISM

A statement of the city’s policy on nepotism
A statement defining the policy on supervising or management of the work of a family member who is also employed by the city

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is sexual harassment.

Sexual Harassment

The legal treatment of sexual harassment of employees has been revolutionized by the enactment of Title VII of the Civil Rights Act of 1964 (Bureau of National Affairs, 1988:59). Mathis and Jackson suggest that sexual harassment refers to actions that are

sexually directed, unwanted, and subject the worker to adverse employment conditions (Mathis and Jackson, 1991:143). James maintains that the explicit definition of sexual harassment contains four elements. First, sexual harassment is almost always reported by the victim. Second, sexual harassment is usually one-sided. Third, the victim usually attempts in some ways to indicate that the offender's behavior is unwelcome. And last, the victim usually cannot stop the abuse (James, 1981:403).

According to Strickland, there are different types of sexual harassment. The different types include unwanted sexual advances, creating a hostile environment, consensual relationships that have dissipated over time, employee harassment of non-employees, female harassing male coworkers, same sex harassment, unwanted physical contact and quid pro quo (Strickland, 1995: 496).

A code of ethics should contain language that commits public administrators to oppose and eliminate all forms of discrimination and harassment (ASPA I, #2; ASPA II, #3). In summary, the following items deal with sexual harassment and should be included in municipal government codes of ethics. (See **Table 3.11**).

TABLE 3.11
SEXUAL HARASSMENT

A statement defining the city's sexual harassment policy
A statement detailing actions that are considered harassing (sexually oriented remarks, gestures, pictures, and jokes)
A statement associating violations of sexual harassment policy to disciplinary actions
A statement that guides employees how to report violations of the sexual harassment policy
A reference to the U.S. Civil Rights Act of 1964

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is whistle-blowing.

Whistle-blowing

Newton and Ford assert that whistle-blowing occurs when an employee discovers an illegal or dangerous practice at his or her place of employment and exposes it, thereby saving lives or a great deal of money or resources (Newton and Ford, 1992:98). Bowman and Elliston describe whistle-blowers as employees who proclaim their belief in individual responsibility and are willing to put themselves at risk for the well-being of their fellow citizens. Common issues brought to public view by whistle-blowers include lack of administrative accountability, mishandling of public funds, bypassing safety regulations, or violation of other laws (Bowman and Elliston, 1988:56-57).

Whistle-blowing employees who expose illegal or dangerous practices often do so at great risk to personal employment security. Due to the natural backlash that can occur when an employee exposes a wrongdoing, it is important for the employee to have formalized employment protection.

The ASPA code of ethics addresses the rights of whistle-blowers. ASPA Principle II, #6 commits public administrators to encourage and facilitate reporting of legitimate dissent activities in government and protects the whistle-blowing rights of public employees (ASPA II, #6). Also, ASPA Principle IV, #4 commits public administrators to provide public employees with an administrative means for dissent, assurance of due process, and safeguards against reprisal (ASPA IV, #4).

In summary, the following items deal with whistle-blowing and should be included in municipal government codes of ethics. (See **Table 3.12**).

TABLE 3.12
WHISTLE-BLOWING

A statement of the city's whistle-blowing policy
A statement expressing employee protection for employees who report a perceived violation of regulations or misuse of city resources

The next set of ideal type components belong to the ideal type category **Training**. The first component in **Training** identified by experts as a necessary inclusion to municipal government codes of ethics is ethics training.

Ideal Type Category: Training

Unprofessional conduct by employees can have negative consequences on an organization. In cases involving employee misconduct, the courts have shown that an employer can be held liable for the unfavorable acts of its employees (Bureau of National Affairs, 1988:60). As more and more cases of misconduct result in action by the courts, municipalities have begun to take an active approach with ethics training for employees. From these developments, **Training** emerged as a practical ideal type category.

Ethics Training

Ethics training programs are designed to strengthen individual capabilities and encourage professional development among public administrators (ASPA Code of Ethics). By instituting ethics training programs, municipalities hope to reinforce the values expressed in municipal codes of ethics. Benson maintains that ethics training is a positive direction for municipalities to take because if reform actions are to be helpful, the actions must be institutionalized through writing basic codes, through enforcement of those codes, through sensitive administrative leadership and example, and appropriate

actions of management (Benson, 1989:305-306). Because questions of ethics are not always black and white, ethics training programs allow employees to participate in scenarios that involve government ethics rules and give employees hundreds of opportunities to make right or wrong decisions (Lais, 1997:2). By taking a proactive approach to ethics training, municipalities are attempting to create situations where professional conduct is reflective of the values contained in codes of ethics.

Both ASPA and ICMA’s codes of ethics address the importance of training for public administrators. ICMA Principle #8 commits public administrators to make it a duty to improve professional ability and competence (ICMA #8). It is also the responsibility of public administrators to keep up to date on emerging issues, plus to provide support and encouragement to other employees to upgrade professional competence (ASPA V, #2, and ASPA V, #1).

In summary, the following items deal with ethics training and should be included in municipal government codes of ethics. (See **Table 3.13**).

TABLE 3.13
ETHICS TRAINING

A statement of the city’s ethics education training policy
A statement requiring employees to receive ethics training on a periodic basis

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is an acknowledgement statement.

Acknowledgement Statement

A municipal government code of ethics should contain a detachable acknowledgment statement emphasizing the employee’s personal commitment to

following all applicable laws and policies spelled out in the city's code of ethics. Watermann suggests that the statement should be signed by the employee and returned to the ethics training coordinator or city department to be filed in the employee's personnel folder (Watermann, 1992:98).

In summary, the following items deal with a detachable acknowledgement statement and should be included in a municipal government code of ethics. (See **Table 3.14**).

TABLE 3.14
ACKNOWLEDGEMENT STATEMENT

A statement requiring employees to document in writing receipt of and acknowledgement of the city's code of ethics
A detachable acknowledgement statement for employees to return to the ethics training coordinator or appropriate city department

The next set of ideal type components belong to the ideal type category **Procedural/Technical**. The first component in **Procedural/Technical** identified by experts as a necessary inclusion to municipal government codes of ethics is the purpose statement.

Ideal Type Category: Procedural/Technical

Procedural/Technical emerged as an ideal type category to support the layout, organization, and navigation functions in codes of ethics. The ideal type components in the **Procedural/Technical** category provide the ability for employees to understand the purpose of the code of ethics, understand terminology used in the code of ethics, and to navigate the multiple sections of a code of ethics.

Purpose Statement

Because a municipal code of ethics is designed for use by public officials, a purpose statement can be used at the beginning of the document to set the tone for the instrument. Many codes make effective use of defining a purpose with a preamble or a statement of intent. The purpose statement outlines the purpose of the code and the purpose of the organization. Olson states that the purpose statement establishes a feel of cohesion that is essential to the proper functioning of a code (Olson, 1998: 2).

In summary, the following items deal with purpose statements and should be included in municipal government codes of ethics. (See **Table 3.15**).

TABLE 3.15
PURPOSE STATEMENT

A purpose statement describing the city's policy to uphold, promote, and demand the highest standards of ethics from all its employees and officials

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is a definitions section.

Definitions

Most municipal codes of ethics contain a section titled definitions. In this context, the term "definition" is a statement that expresses the meaning of a word or word groups. Definitions may provide additional insight into the relationship between parties. Olson asserts that codes of ethics are increasingly referenced by courts as a legal document (Olson, 1998:2). Accordingly, specification of terminology is critical to interpretation of municipal codes of ethics.

In summary, the following item dealing with definitions should be included in municipal government codes of ethics. (See **Table 3.16**).

TABLE 3.16
DEFINITIONS

A section identifying terms that appear in the code of ethics.

The next component identified by experts as a necessary inclusion to municipal government codes of ethics is a table of contents.

Table of Contents

In a code of ethics, the table of contents provides the ability to easily refer to policies and procedures. Because codes of ethics can be very lengthy and detailed in nature, a table of contents serves as a tool for inquiry. The table of contents should include the title and beginning page number of each section of the code. If the code is divided into parts as well as chapters, the part titles should appear in the contents, but the page numbers are not essential. Some table of contents may include subheads within chapters, particularly in technical documents, such as municipal codes of ethics, with long chapters divided into sections defined by meaningful subheads (The Chicago Manual of Style, 1993: 1.43).

In summary, the following item dealing with table of contents should be included in municipal government codes of ethics. (See **Table 3.17**).

TABLE 3.17
TABLE OF CONTENTS

A table that specifies topics and beginning page numbers of each topic

The literature used in this review identifies the conceptual framework and supports four ideal type categories and sixteen ideal type components of municipal codes

of ethics. These categories should be considered a standard or a point reference, but are not rigidly fixed due the practical nature of this conceptual framework. The method for analyzing municipal government codes of ethics is discussed in Chapter 4.

CHAPTER 4

METHODOLOGY

The purpose of this chapter is to describe the method of analysis for municipal government codes of ethics. The method of analysis used in this research is content analysis. The coding instrument (see Appendix C) used in the content analysis was constructed from the conceptual framework and the framework was developed from the literature. This method of instrument construction enhances the operational validity of the data, and adds to the validity of the results. The framework should not be regarded as perfect, but as one that has been carefully constructed using the professional literature as a guide.

Content Analysis

Babbie defines content analysis as a social research method appropriate for studying human communications, including units of communication such as words and text (Babbie, 1995:335). Weber adds that content analysis uses a set of procedures to make valid inferences from text, reducing the text to more relevant, manageable bits of data (Weber, 1990:9). For this research, content analysis was used to gather data about municipal codes of ethics.

Content analysis is used for many purposes. Weber lists a number of purposes for content analysis such as to audit communication content; disclose differences in communication content; compare media or levels of communication, identify the intentions and other characteristics of the communicator; and to describe trends in communication content (Weber, 1990:9). The benefits of content analysis as a research

technique make content analysis the most appropriate method to addressing the research question.

However, like any research method, content analysis has strengths and weaknesses. According to Weber, there are several advantages, or strengths, to utilizing the content analysis research method. First, content analytic procedures operate directly on the text or transcripts of human communications. Second, compared with techniques such as interviews, content analysis usually yields unobtrusive measures since the human communication is in recorded form (Weber, 1990:10). Babbie adds that the greatest advantage of content analysis is its economy in terms of both time and money. Babbie also lists reliability as a strength since the concreteness of materials studied in content analysis suggests that the same data is collected each time in repeated observations (Babbie, 1995:320).

There are weaknesses, or disadvantages, to content analysis as well. According to Weber, the central problems of content analysis originate mainly in the data-reduction process where texts are classified into content categories. The potential problems associated with content categories usually grow out of the ambiguity of category definitions or other coding rules. Weber also notes that a more difficult set of problems associated with content analysis concerns the validity of variables based on content classification. To counter problems with validity, Weber suggests addressing the ambiguity of word meanings and category definitions through pre-testing (Weber, 1990:15). By pre-testing the manifest content coding research instrument, any vague word meanings and vague category definitions become apparent. The Manifest Content Coding Sheet (Appendix C) used in this research was pre-tested for clarity by fellow

graduate students. The result of the pre-test is an increase in inter-rater reliability. Clarity of word meanings and category definitions are essential to the operationalization of the conceptual framework.

Operationalization

The ideal type categories developed through the literature review are operationalized through a manifest content coding procedure. According to Babbie, manifest content coding allows a researcher to code the specific, visible surface content of a communication document, plus to record the extent of development of a specific item. Manifest content coding also offers the advantage of ease and reliability in coding, especially if more than one person is coding the communication text for content (Babbie, 1995:311-312).

The coding procedure incorporates components and elements developed from the literature and presented as Manifest Content Coding Elements (Appendix B). The Manifest Content Coding Sheet (Appendix C) was directly developed from the Coding Elements (Appendix B) which are linked to literature and other standard codes of ethics. Two columns in Appendix C are utilized to describe the content of municipal codes of ethics and the degree of development of the ideal type components. The first column represents the variable "included" which relates to whether the ideal type element exists in the municipal code of ethics. This variable is assigned a value of either "yes" or "no." The second column represents the variable "degree" which measures the data collected as ratio level representing the total number of words addressing the specific element. The time necessary to complete the Manifest Content Coding Sheet (Appendix C) on each city's code of ethics was approximately 1½ hours.

Based upon the manifest content coding results from Appendix C, the statistical tests used to address the research question are descriptive statistics. The results from the first column “Included” are presented in a table listing each ideal type component, plus the specific element. The total number of “yes” and “no” values are presented as percentages and represent the percentage of the analyzed codes of ethics that contain each particular element. For the “Degree” column, the results are presented as the average number of words written to describe or define each prescribed element.

Population

The municipal codes of ethics used in this study are U.S. state capitol cities. Two factors were involved in choosing to examine the codes of ethics from state capitol cities. First, the researcher believed there was an increased likelihood that state capitol cities would have a municipal code of ethics and obtaining a copy from the city government would be possible. Second, since state capitol cities and their municipal policies are highly visible due to state legislatures residing in the cities, the researcher believed that the capitol city codes of ethics would represent a model example of a code of ethics for the rest of the cities in the state. The codes of ethics were collected by one of three methods over a five-month period beginning in April, 2000. First, research was conducted on the world wide web (WWW) for each capitol city’s code of ethics. If the city’s code of ethics was on the WWW, the code was printed directly from the web site. Second, if the city’s web site did not contain a copy of the city’s code of ethics, an email request was sent to the Office of the Mayor requesting a copy of the city’s code of ethics. If necessary, a third attempt at collecting a copy of the capitol city’s code of ethics was made by telephoning the mayor’s office and requesting a copy of the city’s code of

ethics. These attempts resulted in the collection of 31 state capitol city municipal codes of ethics for research. Table 4.1 shows the list of cities that make up the population for this study. Included in Table 4.1 are columns detailing the demographic population data of the city, a column identifying whether the code of ethics is available over the WWW, and a column listing the number of pages in the city's code of ethics.

TABLE 4.1
POPULATION TABLE

State, City	Population	Available on WWW	Number of Pages
AK, Juneau	30,192	Y	52
AZ, Phoenix	1,211,466	N	35
CO, Denver	499,775	N	6
CT, Hartford	128,367	N	11
DE, Dover	32,099	N	16
GA, Atlanta	401,726	N	16
ID, Boise	168,370	Y	2
IN, Indianapolis	738,907	Y	9
IO, Des Moines	190,958	N	1
KY, Frankfort	26,762	N	14
LA, Baton Rouge	210,667	Y	30
ME, Augusta	19,722	Y	2
MA, Boston	555,249	N	87
MI, Lansing	127,716	N	29
MN, Saint Paul	256,213	Y	8
MO, Jefferson City	35,406	Y	3
MT, Helena	29,081	N	18
NE, Lincoln	215,928	Y	7
NY, Albany	93,994	N	3
NC, Raleigh	261,205	N	4
OH, Columbus	671,247	Y	12
OR, Salem	129,650	Y	5
RI, Providence	149,887	Y	2
SC, Columbia	111,821	Y	2
TN, Nashville	506,385	Y	1
TX, Austin	587,873	N	25
UT, Salt Lake City	171,151	Y	12
VT, Montpelier	8,247	Y	3
WA, Olympia	39,904	N	4
WI, Madison	210,674	Y	11
WV, Charleston	54,598	N	3

The data in Table 4.1 reveals the average population for each city whose code of ethics was analyzed was 174,298. Of those cities whose codes were analyzed, 51.6% of the codes of ethics were available on the WWW. The average length in pages of each code of ethics analyzed was 13.9 pages. The results of the study are presented in Chapter 5.

CHAPTER 5

RESULTS

The purpose of this chapter is to organize the results of the collected data from thirty-one state capitol municipal government codes of ethics. Data representing each ideal type component and specific elements are presented in a table revealing the results from the manifest content coding procedure. The data in the table represents the total number of codes that have the prescribed element based upon the ideal type code of ethics. In addition, the average number of words devoted to each element is presented in a table column.

TABLE 5.1
CONFLICT OF INTEREST POLICY RESULTS
Sample Size = 31

Elements	% Yes	Average number of words for yes
Statement of the conflict of interest policy	100	97
Instructions for declaring a personal conflict of interest	41.9	137
List of prohibited acts	87	299
List of exceptions/exemptions	38.7	341

At the heart of most definitions of conflict of interest is the notion that conflict of interest denotes a situation in which an official has a private financial interest sufficient to influence, or appear to influence, the exercise of her public duties and responsibilities. The data in Table 5.1 reveals that every municipal government code of ethics analyzed had a conflict of interest policy statement. Furthermore, almost all codes of ethics listed specific acts that constitute a conflict of interest. Although the data reveals a high level of concern for employee conflict of interest, less than half of the codes included instructions for employees who must declare a conflict of interest. The results in Table 5.1 indicate that the codes of ethics analyzed are aggressive with regard to including

conflict of interest components. To view a best practice example of a conflict of interest policy statement, see Appendix D.

TABLE 5.2
FINANCIAL DISCLOSURE RESULTS
Sample Size = 31

Elements	% Yes	Average number of words for yes
Statement of the financial disclosure policy	70.9	119
Statement detailing who must file a financial disclosure statement	61.2	142
Statement informing employees what, when, and where to file statement	58	213

Financial disclosure elements are one means of assuring separation of personal business from the business of government. The data in Table 5.2 shows over half of the codes analyzed contained all three elements of an ideal type code of ethics. Over two-thirds of the codes contained financial disclosure policy statement specifically. A majority of the codes analyzed gave details of what, when, and where to file a financial disclosure statement. The results in Table 5.2 suggest an emphasis on financial disclosure components in municipal codes of ethics. To view a best practice example of a financial disclosure policy statement, see Appendix E.

TABLE 5.3
GIFTS RESULTS
Sample Size = 31

Elements	% Yes	Average number of words for yes
Statement of city's policy on giving/receiving gifts	67.7	67
Definition of a gift	54.8	137
Instructions for declaring a gift	22.5	73

The solicitation or acceptance of gifts by or for public administrators can threaten the appearance of impartiality and independence of government officials. More than two out of every three codes analyzed contained a policy statement for giving or receiving

gifts (see Table 5.3). The average number of words committed to defining a gift was more than two to one the number of words devoted to the explanation of the gift policy. Overall, the codes of ethics analyzed fail to provide adequate instructions for employees to declare the giving or the acceptance of a gift. To view a best practice example of a statement on gifts, see Appendix F.

TABLE 5.4
PRIVATE EMPLOYMENT RESULTS
Sample Size = 31

Elements	% Yes	Average number of words for yes
Statement of city's private employment policy	58	73
Definition of what constitutes private employment	35.4	121

Private employment or business relationships between public administrators and private business can threaten the appearance of impartiality for public administrators. The data in Table 5.4 reveals that a little more than one-half of the analyzed codes of ethics had private employment policies. Furthermore, only about one-third of codes define private employment for employees. The data reveals that most codes of ethics do not take a strong position in creating policies that address private employment for public administrators. To view a best practice example of a private employment policy statement, see Appendix G.

TABLE 5.5
COMPLAINTS / INVESTIGATIONS RESULTS
Sample Size = 31

Elements	% Yes	Average number of words for yes
Statement detailing procedure for filing a formal complaint	54.8	94
Statement describing investigative procedures	48.3	238

A formalized complaint procedure enables employees with a means to allege a violation of the ethics code or the law. Having a formalized method of investigation

assures that the investigation process is open and fair to all parties involved. The data in Table 5.5 shows almost half of the analyzed codes have formalized procedures in place for filing and investigating alleged violations. The average number of words committed to investigative procedures shows a margin of almost three words to every one word for complaint procedures. To view a best practice example of a complaint/investigation policy, see Appendix H.

TABLE 5.6
DISCIPLINE/CODE ENFORCEMENT RESULTS
Sample Size = 31

Elements	% Yes	Average number of words for yes
Statement describing how disciplinary actions are implemented	83.8	124
Statement regarding due process for employee receiving discipline	38.7	116

Discipline is an employee sanction that occurs when employees encounter problems with performance or personal conduct. More than 75% of analyzed ethics codes regard employee disciplinary procedures as important enough to be included in a code of ethics. The data in Table 5.6 also points out that as important as disciplinary procedures appear to be, there is a disturbing lack of regard or mention of due process for employees who violate ethics regulations. To view a best practice example of a discipline/code enforcement policy, see Appendix I.

TABLE 5.7
ELECTIONS / POLITICAL ACTIVITY
Sample Size = 31

Elements	% Yes	Average number of words for yes
Statement of political activity policy for employees who seek elective office	22.5	38
Statement detailing regulations that allow/restrict employee participation in political campaigns	16.1	118

Because public employees have the responsibility to remain impartial for the constituents they serve, public administrators are often restricted in their abilities to engage in political activity. The data in Table 5.7 reveals a general lack of content in codes of ethics dealing with employees, elections, and political activity. Specifically, less than 25% of analyzed codes mention regulations for public employees participating in the political process. The municipal codes of ethics analyzed do not adequately address issues surrounding potential problems for employees and elections. To view a best practice example of a political activity policy statement, see Appendix J.

TABLE 5.8
EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION RESULTS
Sample size = 31

Elements	% Yes	Average number of words for yes
Statement of the city's policies regarding EEO/Affirmative Action	3.2	44
Statement emphasizing hiring practices be made in accordance with established federal, state, and local EEO laws and regulations	3.2	21
Statement emphasizing non-discriminative hiring practices	3.2	33

Equal employment opportunity and affirmative action laws attempt to eliminate employment practices that lead to discrimination of employees on the basis of sex, religion, race, color, national origin, age, and handicap status. The data in Table 5.8 reveals an almost complete absence of EEO laws and affirmative action practices in ethics codes. Only one code out of thirty-one codes analyzed addressed EEO and affirmative action regulations. Within the single code that addressed the components of EEO and affirmative action, the number of words written did not satisfactorily define the policy and procedures for a public administrator to use as a guideline for making

decisions. To view a best practice example of EEO/affirmative action policies in a code of ethics, see Appendix K.

TABLE 5.9
NEPOTISM RESULTS
Sample size = 31

Elements	% Yes	Average number of words for yes
Statement of the city's policy on nepotism	16.1	221
Statement defining the policy on supervising a family member who is also employed by the city	12.9	91

Anti-nepotism rules are used by public employers to prohibit the hiring and or retention of employees who are related by birth or marriage. Less than one in four codes of ethics analyzed addressed rules of nepotism (see Table 5.9). Even fewer codes defined supervisor regulations involving a family member. There is little concern exhibited for nepotism based upon the lack of inclusion of nepotism components in the analyzed codes of ethics. To view a best practice example of a nepotism policy statement, see Appendix L.

TABLE 5.10
SEXUAL HARASSMENT RESULTS
Sample size = 31

Elements	% Yes	Average number of words for yes
Statement defining sexual harassment policy	6.4	64
Statement defining acts that constitute sexual harassment	3.2	70
Statement associating violations of the sexual harassment policy to disciplinary actions	0	0
Instructions for reporting violations of sexual harassment policy	3.2	66
Reference to U.S. Civil Rights Act of 1964	3.2	14

Sexual harassment refers to actions that are sexually directed, unwanted, and subject the worker to adverse employment conditions. The data in Table 5.10 reveals an almost complete disregard of sexual harassment components in codes of ethics. Only two

of the thirty-one analyzed codes of ethics mentioned sexual harassment, and only one code of ethics defined acts that constitute sexual harassment. No codes associated violations of the sexual harassment policy with disciplinary actions. Reporting guidelines and a reference to the U.S. Civil Rights Act of 1964 existed in only one analyzed code of ethics. Overall, there is a complete lack of concern for including sexual harassment guidelines in municipal government codes of ethics. To view a best practice example of a sexual harassment policy statement, see Appendix M.

TABLE 5.11
WHISTLE-BLOWING RESULTS
Sample size = 31

Elements	% Yes	Average number of words for yes
Statement of the city's whistle-blowing policy	16.1	82
Statement expressing protection for employees who report a perceived violation of regulations or misuse of city resources	9.6	68

Whistle-blowing occurs when an employee discovers and reports an illegal or dangerous practice at his or her place of employment. An insignificant number (less than 20%) of codes of ethics include components addressing whistle-blowing blowing procedures (see Table 5.11). Even fewer codes (less than 10%) address job security guidelines for employees who often at risk to their own personal risk expose illegal or dangerous employment practices. The codes of ethics analyzed fail to sufficiently address issues concerning whistle-blowing. To view a best practice example of a whistle-blowing policy statement, see Appendix N.

TABLE 5.12
ETHICS TRAINING RESULTS
Sample size = 31

Elements	% Yes	Average number of words for yes
Statement of the city's ethics education training policy	22.5	93
Statement requiring employees to receive ethics training on a periodic basis	3.2	115

Ethics training programs are designed to strengthen individual capabilities and encourage professional development among public administrators. The results in Table 5.12 indicate that ethics training is not viewed as an important component in the overall construction of codes of ethics. Less than 25% of the analyzed codes of ethics made mention of ethics education training. Only one code of ethics explicitly stated that employees must receive ethics training on a periodic basis. The data reveals that codes of ethics fail to capitalize on the benefits of an ethics education training program. To view a best practice example of an ethics training policy statement, see Appendix O.

TABLE 5.13
ACKNOWLEDGEMENT STATEMENT RESULTS
Sample size = 31

Elements	% Yes	Average number of words for yes
Statement requiring employees to document in writing receipt of and acknowledgement of the city's code of ethics	16.1	51
A detachable acknowledgement statement for employees to turn in to the appropriate city department	9.6	Not measured

A detachable acknowledgement statement emphasizes an employee's personal commitment to following all applicable laws and policies spelled out in the city's code of ethics. Table 5.13 results indicated less than twenty percent of all analyzed codes of ethics included a statement that required employees to document in writing the receipt of the city's code of ethics. Only three out of the thirty-one codes analyzed included a

detachable statement for the appropriate city department to keep on file. Thus, the analyzed codes of ethics failed to reinforce the importance of codes of ethics to their employees. To view a best practice example of a detachable acknowledgement statement, see Appendix P.

TABLE 5.14
PURPOSE STATEMENT RESULTS
Sample size = 31

Element	% Yes	Average number of words for yes
Statement describing the city's policy to uphold, promote, and demand the highest standards of ethics from all its employees and officials	90.3	156

A purpose statement in a code of ethics outlines the purpose of the code and the purpose of the organization. Many codes make effective use of defining a purpose with a preamble or a statement of intent. The data in Table 5.14 reveals that almost one hundred percent of the analyzed codes of ethics included purpose statements. The high percentage of codes that have purpose statement components also appear to have an commensurate average number of words developing the purpose statement section. Overall, it is evident that municipal codes of ethics are taking a positive step by including a purpose statement to set the tone for both the code of ethics and the organization. To view a best practice example of a code of ethics purpose statement, see Appendix Q.

TABLE 5.15
DEFINITIONS RESULTS
Sample size = 31

Element	% Yes	Average number of words for yes
A section identifying terms that appear in the code of ethics	74.1	509

Definition sections in codes of ethics provide additional insight into the meanings of words and into the relationships between parties. Seventy-five percent of the analyzed

codes of ethics included a well-developed definitions component (see Table 5.15). The average number of words in the definition sections of the analyzed codes of ethics represented the largest total of any of the 37 individual elements. The overall picture for definitions sections in codes of ethics is that not only are they included in a majority of the analyzed codes, but there is an emphasis on developing a comprehensive understanding of terms and relationships that appear throughout the codes. To view a best practice example of a definition section, see Appendix R.

TABLE 5.16
TABLE OF CONTENTS
Sample size = 31

Elements	% Yes	Average number of words for yes
A table that specifies topics and beginning page numbers of each topic	45.1	Not measured

The table of contents in a code of ethics provides the ability to easily refer to policies and procedures. Because codes of ethics can be very lengthy and detailed in nature, a table of contents serves as a tool for inquiry. The results in Table 5.16 show that less than half of all analyzed codes of ethics include a table of contents at the front of the document. A clear majority of the codes of ethics failed to improve the navigational ease of the document by not including a table of contents. To view a best practice example of a table of contents, see Appendix S.

Table 5.17 presents each element with an overall assessment rating. In results where 67% - 100% of analyzed codes contained the specific element, the assessment rating is **substantial compliance**. In results indicating 34% - 66% of analyzed codes containing a specific element, the assessment rating is **moderate compliance**. In results

indicating 0% - 33% of analyzed codes containing a specific element, the assessment rating is **low compliance**.

**TABLE 5.17
ELEMENT ASSESSMENT RESULTS**

Element	% Yes	Assessment
Personal Honesty		
Statement of conflict of interest policy	100	Substantial compliance
Instructions for declaring a personal conflict of interest	41.9	Moderate compliance
List of prohibited acts for conflict of interest	87	Substantial compliance
List of exceptions/exemptions to conflict of interest	38.7	Moderate compliance
Statement of financial disclosure policy	70.9	Substantial compliance
Statement detailing who must file a financial disclosure statement	61.2	Moderate compliance
Statement informing employees what, when, and where to file a statement	58	Moderate compliance
Statement of city's policy on giving/receiving gifts	67.7	Substantial compliance
Definition of a gift	54.8	Moderate compliance
Instructions for declaring a gift	22.5	Low compliance
Statement of city's private employment policy	58	Moderate compliance
Definition of what constitutes outside employment	35.4	Moderate compliance
Politics/Law		
Statement detailing procedure for filing a formal complaint	54.8	Moderate compliance
Statement describing investigative procedures	48.3	Moderate compliance
Statement describing how disciplinary actions are implemented	83.8	Substantial compliance
Statement regarding due process for employee receiving discipline	38.7	Moderate compliance
Statement of political activity policy for employees who seek elective office	22.5	Low compliance
Statement detailing regulations that allow/restrict employee participation in political campaigns	16.1	Low compliance
Statement of the city's policies regarding EEO/Affirmative Action	3.2	Low compliance
Statement emphasizing hiring practices be made in accordance with established federal, state, and local EEO laws and regulations	3.2	Low compliance
Statement emphasizing non-discriminative hiring practices	3.2	Low compliance
Statement of the city's policy on nepotism	16.1	Low compliance

Element	% Yes	Assessment
Politics/Law continued		
Statement defining the policy on supervising a family member who is also employed by the city	12.9	Low compliance
Statement defining sexual harassment policy	6.4	Low compliance
Statement defining acts that constitute sexual harassment	3.2	Low compliance
Statement associating violations of the sexual harassment policy to disciplinary actions	0	Low compliance
Instructions for reporting violations of sexual harassment policy	3.2	Low compliance
Reference to U.S. Civil Rights Act of 1964	3.2	Low compliance
Statement of the city's whistle-blowing policy	16.1	Low compliance
Statement expressing protection for employees who report a perceived violation of regulations or misuse of city resources	9.6	Low compliance
Training		
Statement of the city's ethics education training policy	22.5	Low compliance
Statement requiring employees to receive ethics training on a periodic basis	3.2	Low compliance
Statement requiring employees to document in writing receipt of and acknowledgement of the city's code of ethics	16.1	Low compliance
A detachable acknowledgement statement for employees to turn in to the appropriate city department	9.6	Low compliance
Procedural/Technical		
Statement describing the city's policy to uphold, promote, and demand the highest standards of ethics from all its employees and officials	90.3	Substantial compliance
A section identifying terms that appear in the code of ethics	74.1	Substantial compliance
A table that specifies topics and beginning page numbers of each page	45.1	Moderate compliance

The data in Table 5.17 reveals that for 37 individual elements, the average percentage of codes of ethics containing each individual element is 35.1%. This relatively low percentage barely translates into an overall moderate compliance assessment rating. Specifically, there were seven elements that received substantial

compliance assessment ratings; eleven elements received moderate compliance assessment ratings; and nineteen elements received a low compliance assessment rating. The final chapter presents overall conclusions for the manifest content of this study.

CHAPTER 6

CONCLUSION

The purpose of this chapter is to present overall results and identify whether the analyzed codes of ethics contain the components and elements of the ideal type code of ethics identified in this study. A summary table (Table 6.1) presents collectively the number of codes of ethics that contain one to thirty-seven elements. Also, overall conclusions and recommendations are made regarding each of the sixteen ideal type components (Table 6.2). With these figures presented, the final section of this paper presents weaknesses of this research along with possibilities for future research.

TABLE 6.1
SUMMARY TABLE RESULTS

Number of Elements	Number of Codes Containing Number of Elements	Percentage of Codes Containing Number of Elements
0-5	3	9.7%
6-10	6	19.4%
11-15	12	38%
16-20	7	22.6%
21-25	2	6.5%
26-30	1	3.2%
31-37	0	0%

The data in Table 6.1 reveals that no analyzed code of ethics contained every element prescribed by the practical ideal type code of ethics. Only one code of ethics contained between twenty-six to thirty of the ideal type elements, a total representing only 3.2% of the analyzed codes of ethics. Seven municipal government codes of ethics contained between sixteen and twenty of the thirty-seven prescribed elements, which represented 22.6% of the analyzed codes. The largest percentage of codes of ethics (38%) contained eleven to fifteen of the prescribed elements. Almost one-third of the

codes of ethics (nine codes of ethics) contained ten or less of the thirty-seven prescribed elements.

TABLE 6.2
OVERALL CONCLUSIONS AND RECOMMENDATIONS RESULTS

Component	Recommendation
Conflict of Interest Policy	<ol style="list-style-type: none"> 1. More emphasis should be placed on providing employees with instructions for declaring a personal conflict of interest. 2. More attention should be given to the list of exceptions/exemptions to conflict of interest regulations.
Financial Disclosure	<ol style="list-style-type: none"> 1. Greater development to elements informing employees what, when, and where to file financial disclosure statements
Gifts	<ol style="list-style-type: none"> 1. More attention to defining what constitutes a gift for public administrators. 2. Instructions for employees declaring gifts need to be more developed.
Private Employment	<ol style="list-style-type: none"> 1. More emphasis needs to be applied to private employment policy statements. 2. More attention should be focused on acts which constitute private employment.
Complaints/Investigations	<ol style="list-style-type: none"> 1. Greater emphasis should be placed on developing formal procedures to filing a complaint. 2. Investigative procedures are inadequately developed. Procedures of investigation need to be more specific.
Discipline/Code Enforcement	<ol style="list-style-type: none"> 1. Documented employee rights of due process need to be expanded.
Elections/Political Activity	<ol style="list-style-type: none"> 1. Because statements regarding political activity for employees are almost nonexistent, codes of ethics should develop and utilize a political activity policy. 2. Specific guidelines for employees participating in campaigns should be utilized.

Component	Recommendation
Equal Employment Opportunity/Affirmative Action	<ol style="list-style-type: none"> 1. EEO/Affirmative Action policies should be incorporated into codes of ethics. 2. EEO/Affirmative Action policies should promote equality in all aspects of employment.
Nepotism	<ol style="list-style-type: none"> 1. Nepotism regulations should be included in codes of ethics with greater frequency. 2. Policies regarding supervision of family members need to be more specific.
Sexual Harassment	<ol style="list-style-type: none"> 1. Sexual harassment components were almost nonexistent in the analyzed codes of ethics. Sexual harassment components should be developed and included in codes of ethics. 2. Acts constituting sexual harassment should be defined. 3. Disciplinary policies should be developed and linked to violations of sexual harassment policies. 4. Reporting violations of sexual harassment need to be clearly defined. 5. The legalities relating to sexual harassment should be connected to the U.S. Civil Rights Act of 1964.
Whistle-blowing	<ol style="list-style-type: none"> 1. Whistle-blowing policies need greater emphasis in municipal codes of ethics. 2. Employee protection needs greater definition emphasis if employees are expected to report violations of regulations.
Ethics Training	<ol style="list-style-type: none"> 1. Ethics training needs to be improved and increased if administrators are to be expected to make decisions balancing both values and the law. 2. Codes of ethics need a statement requiring ethics training on a periodic basis.
Acknowledgement Statement	<ol style="list-style-type: none"> 1. A detachable sheet needs to accompany the codes of ethics for employees to acknowledge that the code was received and read.

Element	Recommendation
Purpose Statement	1. Almost all of the codes of ethics included a well-developed purpose statement. For those that lack a purpose statement, one should be developed and included at the front of the document.
Definitions	1. By average number of words per component, the definition section was the most developed. However, not every code of ethics contained a section for definition. Definition components should be developed for those codes not utilizing this component.
Table of Contents	1. Tables of content components are underutilized. These components need to be developed and included as a tool for navigation of the code of ethics.

Overall, the data revealed none of the analyzed codes of ethics included all of the ideal type components (see Table 6.1). The results reveal an enormous variation in the construction and quality of codes of ethics with regard to content. There is room for improvement with each analyzed code of ethics.

Research Weaknesses

This study includes an analysis of thirty-one state capitol municipal government codes of ethics. One factor that might have had a negative impact on the material being researched is that there are distinct differences in the cities themselves. Even though each different city's code of ethics was gauged against a practical ideal type code of ethics, a criticism of the research is that factors such as population, regional location, and various economic factors were not taken into consideration. As a result, the results of the study population could be refined if steps were taken to divide the cities based upon such criteria as population, regional location, and various economic factors. Results could

then be examined and presented to see how many components similar cities' codes of ethics have.

There are several other limitations regarding this research. The time span allotted for this research was a factor that allowed for the identification of only the basic components of codes of ethics. Given additional time and consideration, the study could be expanded to include additional components of codes of ethics.

Possible Further Research

Further study of municipal government codes of ethics is important to identify weaknesses in the content of codes of ethics, plus to improve the construction and use of codes of ethics. The results indicate the need for the development and inclusion of the ideal type components in codes of ethics. One area in particular that would benefit from further research is the component of ethics training. Less than 25% of the analyzed codes of ethics prescribed ethics training for public administrators. However, every public administrator is expected to make decisions in the interest of the public, and also comply with the code of ethics. The role of ethics training in employee decision-making is one area where further research is possible.

In the example of Mr. Harmon being responsible for determining the fate of Mrs. Carmichael's home, the code of ethics is one tool that can aid Harmon in making his difficult decision. If the actual law that Carmichael is operating under in making his decision is vague, the code of ethics may be useful in highlighting particular elements that are important to making a well-informed decision. A code of ethics can provide Harmon with insight into whether the decision takes into account all aspects of fairness

regarding the fate of Mrs. Carmichael's home. Most importantly, a code of ethics, when used in conjunction with the law, can aid an administrator in making decisions that satisfy the need for consistency in making value based decisions.

This research was based upon the idea of assessing municipal government codes of ethics. This research has contributed to the field of public administration in the following ways. First, this research described the types of information that should be included in a municipal code of ethics. Second, the research presented evidence that showed municipal government codes of ethics lack important ethics code components. And third, this research has created a tool of inquiry for use by public administrators to assess and improve municipal government codes of ethics.

APPENDIX A POPULATION LIST

1. Alaska, Juneau
2. Arizona, Phoenix
3. Colorado, Denver
4. Connecticut, Hartford
5. Delaware, Dover
6. Georgia, Atlanta
7. Idaho, Boise
8. Indiana, Indianapolis
9. Iowa, Des Moines
10. Kentucky, Frankfort
11. Louisiana, Baton Rouge
12. Maine, Augusta
13. Massachusetts, Boston
14. Michigan, Lansing
15. Minnesota, St. Paul
16. Missouri, Jefferson City
17. Montana, Helena
18. Nebraska, Lincoln
19. New York, Albany
20. North Carolina, Raleigh
21. Ohio, Columbus
22. Oregon, Salem

23. Rhode Island, Providence
24. South Carolina, Columbia
25. Tennessee, Nashville
26. Texas, Austin
27. Utah, Salt Lake City
28. Vermont, Montpelier
29. Washington, Olympia
30. Wisconsin, Madison
31. West Virginia, Charleston

Appendix B Manifest Content Coding Elements

Ideal Type Category	Component	Elements
Personal Honesty		
	Conflict of Interest	E1 a statement of the city's conflict of interest policy E2 a procedure instructing employees how to declare the existence of a personal conflict of interest E3 a listing of prohibited acts which constitute a conflict of interest E4 A listing of exceptions/exemptions which do not constitute a conflict of interest
	Financial Disclosure	E5 a statement of the city's financial disclosure policy E6 a statement detailing who must file a financial disclosure statement E7 a statement informing employees what, when, and where to file a financial disclosure statement
	Gifts	E8 a statement of the city's policy on giving/receiving gifts E9 a statement that defines what constitutes a gift E10 a statement informing employees how to declare a gift if a gift was accepted
	Private Employment	E11 a statement of the city's private employment policy E12 a statement that defines what constitutes outside employment
Politics/Law		
	Complaints/Investigation	E13 a statement detailing the procedure for filing a formal, written complaint alleging a violation of policy
		E14 a statement describing how complaints/violations will be investigated
	Discipline/Code Enforcement	E15 a statement describing how disciplinary actions are implemented
		E16 a statement regarding due process for employees who are found to have violated a regulation

Appendix B Manifest Content Coding Elements

Ideal Type Category	Component	Elements
Politics/Law Cont.	Elections/Political Activity	E17 a statement of the city's political activity policy to educate employees who seek elective office
		E18 a statement detailing regulations that allow/restrict employee participation in political campaigns while employed by the city
	Equal Employment Opportunities/Affirmative Action	E19 a statement detailing the city's policy relating to equal employment opportunities/affirmative action
		E20 a statement emphasizing hiring practices be made in accordance with established federal, state, and local equal employment opportunity laws and regulations
		E21 a statement emphasizing non-discrimination against applicants/employees based upon race, sex, religion, disability, and sexual orientation
	Nepotism	E22 a statement of the city's policy on nepotism
		E23 a statement defining the policy on supervising or management the work of a family member who is also employed by the city
	Sexual Harassment	E24 a statement defining the city's sexual harassment policy
		E25 a statement detailing actions that are considered harassing (sexually oriented remarks, gestures, pictures, and jokes)
		E26 a statement associating violations of sexual harassment policy to disciplinary actions
		E27 a statement that guides employees how to report violations of sexual harassment policy
		E28 a reference to the U.S. Civil Rights Act of 1964

Appendix B Manifest Content Coding Elements

Ideal Type Category	Component	Elements
Politics/Law Cont.		
	Whistleblowing	E29 a statement of the city's whistleblowing policy E30 a statement expressing employee protection for employees who report a perceived violation of regulations or misuse of city resources
Training		
	Ethics Training	E31 a statement of the city's ethics education training policy E32 a statement requiring employees to receive ethics training on a periodic basis
	Acknowledgement Statement	E33 a statement requiring employees to document in writing receipt of and acknowledgement of the city's code of ethics E34 a detachable acknowledgement statement for employees to return to the ethics training coordinator or appropriate city department
Procedura/Technical		
	Purpose Statement	E35 a purpose statement describing the city's policy to uphold, promote, and demand the highest standards of ethics from all its employees and
	Definitions	E36 a section identifying terms that appear in the code of ethics
	Table of Contents	E37 a table that specifies topics and beginning page numbers of each topic

Appendix C Manifest Content Coding Sheet

Category/Component/Elements	Included	Degree
PERSONAL HONESTY		
Conflict of Interest		
E1 a statement of the city's conflict of interest policy		
E2 a procedure instructing employees how to declare the existence of a personal conflict of interest		
E3 a listing of prohibited acts which constitute a conflict of interest		
E4 A listing of exceptions/exemptions which do not constitute a conflict of interest		
Financial Disclosure		
E5 a statement of the city's financial disclosure policy		
E6 a statement detailing who must file a financial disclosure statement		
E7 a statement informing employees what, when, and where to file a financial disclosure statement		
Gifts		
E8 a statement of the city's policy on giving/receiving gifts		
E9 a statement that defines what constitutes a gift		
E10 a statement informing employees how to declare a gift if a gift was accepted		
Private Employment		
E11 a statement of the city's private employment policy		
E12 a statement that defines what constitutes outside employment		
POLITICS/LAW		
Complaints/Investigation		
E13 a statement detailing the procedure for filing a formal, written complaint alleging a violation of policy		
E14 a statement describing how complaints/violations will be investigated		
Discipline/Code Enforcement		
E15 a statement describing how disciplinary actions are implemented		
E16 a statement regarding due process for employees who are found to have violated a regulation		

Appendix C Manifest Content Coding Sheet

Category/Component/Elements POLITICS/LAW CONTINUED	Included	Degree
Elections/Political Activity		
E17 a statement of the city's political activity policy to educate employees who seek elective office		
E18 a statement detailing regulations that allow/restrict employee participation in political campaigns while employed by the city		
Equal Employment Opportunities/Affirmative Action		
E19 a statement detailing the city's policy relating to equal employment opportunities/affirmative action		
E20 a statement emphasizing hiring practices be made in accordance with established federal, state, and local equal employment opportunity laws and regulations		
E21 a statement emphasizing non-discrimination against applicants/employees based upon race, sex, religion, disability, and sexual orientation		
Nepotism		
E22 a statement of the city's policy on nepotism		
E23 a statement defining the policy on supervising or management the work of a family member who is also employed by the city		
Sexual Harassment		
E24 a statement defining the city's sexual harassment policy		
E25 a statement detailing actions that are considered harassing (sexually oriented remarks, gestures, pictures, and jokes)		
E26 a statement associating violations of sexual harassment policy to disciplinary actions		
E27 a statement that guides employees how to report violations of sexual harassment policy		
E28 a reference to the U.S. Civil Rights Act of 1964		

Appendix C Manifest Content Coding Sheet

Category/Component/Elements POLITICS/LAW CONTINUED	Included	Degree
Whistleblowing		
E29 a statement of the city's whistleblowing policy		
E30 a statement expressing employee protection for employees who report a perceived violation of regulations or misuse of city resources		
TRAINING		
Ethics Training		
E31 a statement of the city's ethics education training policy		
E32 a statement requiring employees to receive ethics training on a periodic basis		
Acknowledgement Statement		
E33 a statement requiring employees to document in writing receipt of and acknowledgement of the city's code of ethics		
E34 a detachable acknowledgement statement for employees to return to the ethics training coordinator or appropriate city department		
Procedural/Technical		
Purpose Statement		
E35 a purpose statement describing the city's policy to uphold, promote, and demand the highest standards of ethics from all its employees and officials		
Definitions		
E36 a section identifying terms that appear in the code of ethics		
Table of Contents		
E37 a table that specifies topics and beginning page numbers of each topic		

Appendix D
Conflict of Interest
Hartford, CT

(a) No officer, official, employee or member of any board, commission or agency, whether paid or unpaid, shall engage in any business or transaction or have a financial, or personal, interest, direct or indirect, which is incompatible with the proper discharge or his/her official duties in the public interest or would tend to impair his/her independence of judgment and action in the performance of his/her official duties. Nor shall he/she engage in any financial dealings with any persons whose activities are regulated or supervised by his/her department, board, commission or agency or accept a gift from such persons.

(b) Use of any and all city equipment or supplies to which an officer, official or employee has access in the course of his/her city duties must be restricted only to those duties. He/she shall not employ such equipment for personal use or for any other purposes except those related directly to his/her city duties. He/she shall not pressure or otherwise coerce other city officers, officials or employees to use such equipment for anything other than work related to his/her/their official duties. No labor shall be performed for any person(s) or on any job while on city time except that which is part of one's official duties. No supervisor shall pressure or otherwise coerce city employees to perform labor outside city time. Supervisors shall be especially sensitive to the fact that even asking for labor may be perceived by the employee as a subtle form of pressure.

(c) A conflict of interest exists if an officer, official or employee or member of any board, commission or agency or their relatives, directly or indirectly, may receive financial gain or personal gain from the outcome of, or have a financial interest in, any matter under consideration before him or her in his/her official capacity. In the case of a member of council or a member of a board, commission or agency, such person shall disclose on the public record of such public body, the existence of any such interest and shall disqualify himself/herself from voting or acting on such matters.

(d) A conflict of interest exists if any officer, official, employee or member of any board, commission or agency, has a financial or personal

FINANCIAL DISCLOSURE REQUIREMENT

General Information

Under the Ethics Law, many public officials and employees file annual report Financial Disclosure Statements (FDS), that disclose certain required financial information. The purposes of the financial disclosure requirement are to remind officials of financial interests that may conflict with their duties and to assist the public and the three ethics agencies in monitoring the areas of potential conflict of interest of public officials. Public disclosure serves as a deterrent to public officials conduct activity that may result in a conflict.

Like a tax return, the FDS reflects personal financial information for the entire preceding calendar year. Therefore, a statement to be filed in 1997 will reflect financial interests of the filer during the entire year of 1996, and will be described as a 1996 FDS.

Individuals Required to File FDS

Officials and employees who are required to file FDS are:

- Elected officials at the state, county, and city levels;
- Candidates for state, county, and city elective offices;
- School board members and candidates for school board in school districts with 12,000 students;
- All school district superintendents, treasurers, and business managers;
- Upper-level state employees, including chief administrative officers of sovereign state boards and commissions; and
- Members of sovereign-power state boards and commissions.

Village and township elected officers, board of education members in districts with fewer than 12,000 students, and most state and local public employees are not required to file FDS.

Information the Filer Must Disclose

Along with general personal information, most FDS filers identify the following:

- all sources of income;
- investments worth more than \$1000;
- businesses in which the filer is an officer or board member;
- sources of travel expenses incurred in connection with official duties;
- sources of meals, food, and beverages, incurred in connection with official duties aggregating more than \$100;
- sources of gifts worth more than \$75;
- Ohio real estate investments; and

Appendix F
Gifts
Boston, MA

Gifts (Section 3)

It is illegal to request or accept anything of "substantial value" from anyone with whom you have or are likely to have official dealings (absent some family or social relationship which would explain the gift) even if the motivation for the gift is to express gratitude for a job well done or to foster goodwill.

It is also illegal for a *private party* to offer or give anything of substantial value to a public official or employee if it is given "for or because of" some act the official has performed or will perform; this is true even if there is no corrupt intent on the part of either the giver or the receiver.

In 1976 the Massachusetts Appeals Court decided that \$50 is "substantial value." In 1985 the Commission issued a similar ruling. Items of "substantial value" range from cash, additional compensation and tips to free tickets and passes to entertainment events. In addition, free or discounted services such as construction or accounting work are considered gifts.

Example: A complaint is filed with the town public health department regarding a restaurant. An investigator screens the complaint and determines that no action should be taken on it. Grateful for this resolution of the matter, the restaurant owner invites the investigator and his family to a free dinner at his restaurant. If the investigator accepts the invitation, he violates Section 3 if the dinner is worth \$50 or more. If the same investigator has asked for the free dinner from the restaurant owner in return for agreeing not to act on the complaint, he would violate Section 2 (the bribery section of the law).

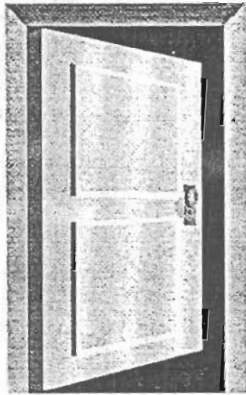
Example: A municipal purchasing agent awards several city office supply contracts to a stationery supplier who submits the lowest bids. At the end of the year, the general manager of the stationery firm offers the purchasing agent a set of luggage worth over \$50 as a token of goodwill. The purchasing agent violates Section 3 if he accepts the gift. The supplier violates Section 3 simply by making the offer of luggage to the purchasing agent.

Example: A car dealer which holds a major contract with the town police department offers a 40% discount to all town police officers. The car dealer violates Section 3 by offering the discount because it is being given only to town police officers who potentially could affect the car dealer's contract by praising or complaining about the cars' quality. The police officers will violate Section 3 if they take the discount and it totals \$50 or more.

For more detailed information on accepting or being offered "gifts," see Commission Advisory No. , the "Free Pass Advisory," available from the Commissioner's office.

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The "Revolving Door" Restriction



A present or former public-official or employee is prohibited from representing anyone before any public agency, including his former employer, on any matter in which he personally participated in his official capacity. This prohibition is in effect during public service and generally remains in effect for one year following departure from public service. It does not prohibit a public servant from representing his former employer or agency.

The revolving door restriction applies to all former public officials and employees, including professionals such as attorneys, accountants, and engineers. The restriction prohibits a former public servant from improperly using insider knowledge or exerting influence with his former co-workers on a matter in which he personally participated while in public service. Since this influence could be used to benefit his client, the revolving door provision prohibits the former public servant from performing this type of work.

4/5/00 2:44 PM

Appendix H
Complaints/Investigations
Indianapolis, IN

Sec. 293-107. Complaints, investigations, hearings and enforcement.

(a) Any person may file a complaint alleging a violation of this article. If such complaint is filed by a member of the board of ethics, such member is then disqualified from participating in any proceedings that may arise from the complaint.

(b) The complaint shall be in writing and signed by the complainant. The written complaint shall state the nature of the alleged violation(s), the date(s), time and place of each occurrence, and name of the person(s) charged with the violation(s). The complaint shall be filed with the secretary of the board of ethics, who shall provide a copy to the person charged with a violation, unless in the opinion of the secretary anonymity of the complainant should be maintained. The complainant shall provide the secretary with all available documentation or other evidence to demonstrate a reason for believing that a violation has occurred.

(c) All complaints shall remain confidential. When a complaint reaches public hearing before the board of ethics, the complaint and all records pertaining thereto shall become public records.

(d) Within thirty (30) days after receipt of a complaint, the secretary shall conduct a preliminary investigation. The secretary may request that the board of ethics extend the time for the completion of such preliminary investigation. If the board of ethics determines that such extension is necessary or desirable and would not be prejudicial to the person charged with the violation, the board of ethics shall grant the extension. If the board of ethics determines that the preliminary investigation must be completed in less than thirty (30) days in order to avoid prejudice or irreparable harm to the person charged with the violation, the board of ethics shall order the secretary to complete the preliminary investigation in a shorter period of time, and the secretary shall comply.

(e) If the secretary determines, after preliminary investigation, that there are no reasonable grounds to believe that a violation has occurred, the secretary shall

Appendix I
Discipline/Code Enforcement
Austin, TX

§ 2-3-48 SANCTIONS.

(A) If the Ethics Review Commission determines that a violation of §§ 2-3-62, 2-3-63, 2-3-64, and 2-3-65 occurred, it shall proceed directly to determination of the appropriate sanction(s). A violation of §§ 2-3-62, 2-3-63, 2-3-64, and 2-3-65 shall not be subject to criminal penalties under the City Code. The Commission may receive additional testimony or statements before considering sanctions but is not required to do so. If the city official or city employee named in the complaint acted in reliance upon a public written opinion of the City Attorney, the Commission shall consider that fact.

(B) If the Commission determines that a violation has occurred, it may impose or recommend the following sanctions:

(1) A letter of notification shall be the appropriate sanction when the violation is clearly unintentional, or when the official or employee's conduct complained of was made in reliance on a public written opinion of the City Attorney. A letter of notification shall advise the official or employee to whom it is directed of any steps to be taken to avoid future violations. The Commission may direct a letter of notification to any official or employee covered by this chapter.

(2) A letter of admonition shall be the appropriate sanction in those cases in which the Commission finds that the violation is minor and/or may have been unintentional, but calls for a more substantial response than a letter of notification. The Commission may admonish any official or employee covered by this chapter.

(3) A reprimand shall be the appropriate sanction when the Commission finds that a violation has been committed intentionally or through disregard of this chapter. The Commission may reprimand any official or employee covered by this chapter. A reprimand directed to a city official shall also be sent to the City Council. A reprimand directed to an employee shall be sent to the City Manager and included in said employee's personnel file.

(4) A recommendation of removal from office or a recommendation of suspension from office, as well as a recommendation for length of suspension, shall be the appropriate sanction when the Commission finds that a serious or repeated violation of this chapter has been committed intentionally or through culpable disregard of this chapter by an unsalaried city official. A recommendation of removal from office or a recommendation of suspension from office for an unsalaried city official or for a salaried official appointed by the Mayor and City Council shall be transmitted to the City Council. The final authority to carry out such recommendations to remove from office or suspend from office and the length of the

Appendix J
Political Activity
Phoenix, AZ

H. Political Activity

Chapter XXV, Section 11 of the City Charter prohibits any person holding a position with the City from participating in political campaigns for City elective office in any way beyond voting and privately expressing personal opinions. See A.R. 2.16..

Comment: As citizens, City employees and members of City boards, commissions, committees and the City Council can and should exercise their rights to register and vote in all elections including City elective offices. The City Attorney, in Opinion No. 90-012, determined that the provisions of Chapter XXV, Section 11 of the City Charter, do not apply to citizen members of City board and commissions and, therefore, they may participate in political campaigns for City elective office. City Council members are specifically excluded from the provisions of this Section of the Charter. Although other City officers and City employees may participate as private citizens on campaigns for non-City offices and issues, they may not participate in or contribute to political campaigns for City elective offices.

Appendix K
EEO/Affirmative Action
Phoenix, AZ

E. Discrimination

Chapter XI, Section 2 of the City Charter provides: "No person shall be appointed to, removed from or in any way favored or discriminated against with respect to any city position because of race, color, ancestry, national origin, sex, political or religious opinions or affiliations." Discrimination on the basis of sexual orientation is also prohibited.

Appendix L
Nepotism
Frankfurt, KY

SECTION 2.100.180. Nepotism Prohibited.

(A) No officer or employee of the city or a city agency shall advocate, recommend or cause the:

- | | | |
|------------------|------------------|-----------------|
| (1) employment; | (3) promotion; | (5) advancement |
| (2) appointment; | (4) transfer; or | |

of a family member of an elected officer to an office or position of employment with the city or a city agency.

(B) No officer or employee of the city or a city agency shall supervise or manage the work of a family member who works for the city.

(C) No officer or employee shall participate in any action relating to the employment or discipline of a family member, except that this prohibition shall not prevent an elected or appointed official from voting on or participating in the development of a budget which includes compensation for a family member, provided that the family member is included only as a member of a class of persons or a group, and the family member benefits to no greater extent than any other similarly situated member of the class or group.

(D) No two family members shall be employed in regular full-time budgeted positions, within the same department.

(E) The prohibitions in this section shall not apply to any relationship or situation that would violate the prohibition, but which existed prior to January 1, 1995.

Appendix M
Sexual Harassment
Phoenix, AZ

Harassment on the basis of sex is a violation of Title VII of the U.S. Civil Rights Act of 1964, as amended. The United States Equal Employment Opportunity Commission (EEOC) defines sexual harassment as "unwelcome" sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Appendix N
Whistle-blowing
Lansing, MI

290.12 WHISTLE-BLOWER PROTECTION.

(a) The provisions of the Whistle-Blower's Protection Act MCL 15.361, et seq. are intended to apply to employees who report a violation or suspected violation of this Chapter.

(b) The city shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because the employee, or a person acting on behalf of employee, reports or is about to report, or is perceived to have reported or be about to report, verbally or in writing, a violation or suspected violation of this Chapter, unless the employee knows that the report is false, or because an employee is requested by the city, or any agency or officer thereof, to participate in an investigation, hearing, or inquiry held by the city, agency or official.

Appendix O
Ethics Training
Boston, MA

Public Education

Public education has been a primary commitment of the State Ethics Commission since its establishment in 1978.

The Public Education Division conducts seminars for municipal employees and officials to help avoid potential conflicts which may arise between an employee's private interests and public position. The Commission staff will travel anywhere in the state to conduct a seminar tailored to any group of public employees or citizens.

The goal of the presentation and question and answer period is to provide an understanding of the basic principles of the law and how to comply with it by discussing "real life" conflicts that arise on the job.

Some of the topics covered at our seminars include: restrictions on receiving gifts, outside employment, contracting with municipal agencies, acting on matters which financially affect family members and business associates, holding more than one town job, and leaving the government to work for companies you dealt with as a public employee.

To arrange for a seminar on the conflict law, call (617) 727-0060 and ask for the Director of Public Education.

The Public Education Division also provides other publications free of charge or for a nominal fee including: the Commission's newsletter *The Bulletin*; pamphlets for state, county and municipal employees on the conflict of interest and financial disclosure laws; a yearly compilation of Enforcement Actions and Advisory Opinions; an Annual Report and advisories and fact sheets which provide specific guidance to public officials on various aspects of the conflict law.

Appendix P
Acknowledgement Statement
Boston, MA

Employee Agreement

I HAVE RECEIVED THE CITY OF BOSTON ETHICS HANDBOOK, AND I
HAVE READ MAYOR MENINO'S EXECUTIVE ORDER.

SIGNATURE

PRINT NAME

DATE

Return to:

GARY L. SANDISON
Office of the Mayor
5th Floor
Boston City Hall
Boston, MA 02201

New

Appendix Q
Purpose Statement
Lincoln, NE

2.54.010 Declaration of Policy; Public Records.

The proper operation of democratic government requires that public officers and employees be honest, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structures; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, the following regulations on conflict of interest are established for all City of Lincoln officers and employees, whether elected or appointed, paid or unpaid, including members of all boards, commissions, and committees of the city. The purpose of these regulations is to establish guidelines setting forth those actions which are incompatible with the best interest of the citizens of the City of Lincoln and directing disclosure by such officers and employees of private financial or other interests in matters affecting city government.

In addition to other statements and reports required by law, all correspondence directed to a member of the City Council with regard to the matters pending before the City Council are deemed to be public documents and shall be made a part of the records of the city and as such filed with the City Clerk's office and open to inspection by the public prior to the City Council taking action on the subject, and in addition, any correspondence directed to the Mayor or Mayor's office concerning matters pending before the City Council or under consideration by the Mayor for veto shall likewise be deemed to be public documents and shall be filed with the City Clerk's office and open to inspection by the public prior to the Mayor taking action on the subject. (Ord. 15399 §1; January 8, 1990; P.C. §2.08.015; Ord. 12251 §1; April 10, 1979; prior Ord. 6899 §1; April 13, 1959). 277

(b) **"Business"** means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, activity or entity, excluding a municipal corporation or governmental entity.

(c) **"Business with which an individual is associated"** means a business in which any of the following applies:

1. The individual is an owner, partner, director, officer or employee;
2. A member of the individual's immediate family is an owner, partner, director or officer;
3. The individual or a member of the individual's immediate family is a stockholder of close corporation stock which is worth at least one thousand dollars (\$1,000) at fair market value or which represents more than a five percent equity interest; or
4. The individual or a member of the individual's immediate family is a stockholder of publicly traded stock which is worth at least twenty-five thousand dollars (\$25,000) at fair market value or which represents more than ten percent equity interest, other than publicly traded stock under a trading account if the individual reports the name and address of the stockholder.

(d) **"Business with which an officer, employee or candidate is associated"** means a business with which the individual is associated

(e) **"Candidate"** means an individual who is a candidate for city office, as defined in Public Act 388 of 1976, as amended, being M.C.L.A. 169.201 through 169.282.

(f) **"Child"** means a son or daughter, whether or not the son or daughter is the natural offspring of the legal parent or parents and whether or not the son or daughter is financially dependent on the parent or parents.

(g) **"Confidential information"** means information which has been obtained in the course of holding office or employment with the City, and which information is not available to members of the public under the Freedom of Information Act or other law or regulation and which the employee or officer has been instructed is being held confidentially. Any information which is disclosed in a meeting open to the public is deemed not

Appendix S
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Salem, OR

CHAPTER 12

ETHICS

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Bibliography

- "ASPA Code of Ethics," revised 1994, American Society for Public Administration.
- Babbie, Earl, 1995, *The Practice of Social Research, Seventh Edition*, Wadsworth Publishing Company, Belmont, California.
- Benson, George, 1989, "Codes of Ethics," Journal of Business Ethics, volume 8, number 5, pages 305-320.
- Bowman, James S., and Elliston, Frederick A., 1988, *Ethics, Government, and Public Policy: A Reference Guide*, Greenwood Press, New York, New York.
- Bureau of National Affairs Special Report, 1988, *Corporate Affairs: Nepotism, Office Romance, and Sexual Harassment*, Washington, D.C.
- Chandler, Ralph, 1983, "The Problem of Moral Reasoning in American Public Administration: The Case for a Code of Ethics," Public Administration Review, January/February, pages 32-39.
- Cooper, Terry L., 1982, *The Responsible Administrator*, National University Publications, Port Washington, New York.
- Dobel, J. Patrick, 1993, "The Realpolitik of Ethics Codes: An Implementation Approach to Public Ethics," pages 158-174, *Ethics and Public Administration*, edited by H. George Frederickson, M. E. Sharpe, Incorporated, Armonk, New York.
- Eisaguirre, Lynne, 1999, *Affirmative Action: A Reference Book*, ABC-CLIO Publishers, Santa Barbara, California.
- Garofalo, Charles and Geuras, Dean, 1999, *Ethics in the Public Service: The Moral Mind at Work*, Georgetown University Press, Washington D. C.
- Gordon, L. J., 1984, "Complaints and Grievances," *Human Resources Management and Development Handbook*, American Management Association, New York.
- "ICMA Code of Ethics," revised 1998, International City/County Managers Association.
- James, J., 1981, "Sexual Harassment," Public Personnel Management Journal, 4 (Winter 1981), pages 391-399.
- Lais, Sami, 1997, "Justice Creates Video Game that's Ethical to Play on Job," Government Computer News, 21 July, volume 16, number 20, pages 1-2.

Bibliography

- Lewis, Carol W., 1993, "Ethics Codes and Ethics Agencies: Current Practices and Emerging Trends," pages 136-157, *Ethics and Public Administration*, edited by H. George Frederickson, M. E. Sharpe, Incorporated, Armonk, New York.
- Mathis, Robert L. and Jackson, John H., 1991, *Personnel/Human Resource Management*, West Publishing Company, St. Paul, Minnesota.
- McAfee, B. R. and Chadwin, M. L., 1981, "Evaluating an Organization's Disciplinary System," Human Resource Management, Fall, volume 20, pages 29-35.
- Mesch, D. J., 1995, "Grievance Arbitration in the Public Sector," Review of Public Personnel Administration, Fall, pages 23-35.
- National Municipal League, 1979, *Model State Conflict of Interest and Financial Disclosure Law*, New York, New York.
- Newton, Lisa H., and Ford, Maureen M., 1992, *Taking Sides: Clashing Views on Controversial Issues in Business Ethics and Society*, Dushkin Publishing.
- Olson, Andrew T., 1998, "Authoring a Code: Observations on Process and Organization," Illinois Institute of Technology, Internet:
http://csep.iit.edu/codes/coe/writing_a_code.html.
- Roberts, Robert, 1999, "The Supreme Court and the Law of Public Service Ethics," Public Integrity, Winter, volume 1, number 1, pages 20-40.
- Sheeran, Patrick J., 1993, *Ethics in Public Administration: A Philosophical Approach*, Praeger Publishing, Westport, Connecticut.
- Shields, Patricia M., 1998, "Pragmatism as Philosophy of Science: A Tool for Public Administration," Research in Public Administration, Volume 4, pages 199-230.
- Short, Rebecca, 1997, Fall, "A Content Analysis of Texas State Agency Employee Handbooks," Applied Research Project, Southwest Texas State University, San Marcos, Texas.
- Singer, M. G., 1990, *Human Resource Management*, PWS-Kent Publishing Company, Boston, Massachusetts.
- Strickland, R. A., 1995, "Sexual Harassment: A Legal Perspective for Public Administrators," Public Personnel Management, volume 24, Winter, pages 492-509.

Bibliography

The Chicago Manual of Style: The Essential Guide for Writers, Editors, and Publishers, 14th Edition, 1993, The University of Chicago Press, Chicago, Illinois.

The Employee Handbook, 1990, The Harper Business Series in Human Resources Management, Management Resources, Incorporated.

Van Wart, Montgomery, 1998, *Changing Public Sector Values*, Garland Publishing Incorporated, New York, New York.

Watermann, C.A., 1992, "Update Handbooks to Avoid Risk," *HR Magazine*, volume 37, November, pages 97-99.

Weber, Robert Philip, 1990, *Basic Content Analysis, Second Edition*, Sage Publications, Newbury Park, California.

Williams, Sandra, 1985, *Conflict of Interest: The Ethical Dilemma in Politics*, Gower Publishing Company, Brookfield, Vermont.