

Policy: CCE Employee Code of Conduct and Ethics	Effective Date: July 1, 2019
Number: 710 –1--001	Reviewed/Revised: July 1, 2022
Authorized By: Jill Remington Love, Executive Director	
Authority: Utah Admin. Code R477-9, R477-10, R477-11, R477-14, R477-15, R477-16, Executive Order 002 2014 Establishing an Ethics Policy for Executive Branch Agencies and Employees, UCA 67-16 Utah Public Officers' and Employees' Ethics Act; Utah Administrative Code R895-7 Acceptable Use of Information Technology.	

I. Purpose:

The Department of Cultural and Community Engagement (CCE) is committed to maintaining a work environment that is safe and empowering for employees, and that promotes the individual value of each Department employee. This Employee Code of Conduct and Ethics is designed to promote this commitment.

This policy is compliant with the provisions of the Public Officers, Employees Ethics Act, §67-16-1 of the Utah Code, and DHRM Rule R477-9. In addition, CCE employees are expected to abide by Executive Order No. 2014-2, the Governor’s Executive Order on Ethics and Amended Executive Order No. 2018-1, the Governor’s Executive Order Establishing a Revised Policy for Legislative Communications of Executive Branch Departments and Employees. The executive orders can be found at rules.utah.gov.

Ethical behavior incorporates and goes beyond specific laws and regulations, recognizing the obligation Department employees have to protect the rights of other employees, customers, and the public, while exhibiting exemplary behavior as a State and CCE employee. This Code of Conduct and Ethics is applicable to all work related activities of Department employees and is not intended to govern the private lives of Department employees. However, when non-work related activities of an employee clearly affect the ability of the Department to promote a safe and empowering work environment, to provide credible, professional services within the community, or cause the public to lose confidence in the Department’s ability to provide appropriate services, employees are expected to follow and will be held accountable for the standards of this policy. This policy section does not attempt to address specific situations that are unique to particular job functions nor is it intended to replace more specific direction provided by statute, rules, directives or supervisor instructions.

II. Policy:

1. Department employees are expected to govern themselves civilly, professionally, and according to the following principles of public service:
 - a. Being employed as a State employee is a position of trust that may be used only to advance public interests, not for personal gain.
 - b. Basing decisions and actions on facts free from partiality or prejudice and unimpeded by conflicts of interest.
 - c. Conducting business openly, efficiently, equitably and honorably.
 - d. Observing both the letter and the spirit of the laws.

- e. Avoiding even the appearance of impropriety is paramount for safeguarding public confidence in the integrity of our Department and our employees.
2. Communication of Policy: All employees will be notified regarding the expectations under this policy at the time of their hire and will acknowledge that they understand the policy in the Utah Performance Management System. In addition, employees will be required to review the policy in its entirety annually and acknowledge that they have read it, understand it, and will comply with the directives outlined in the policy.
3. Relationships with Customers and the Public, employees shall:
 - a. Not exploit relationships with Department customers for personal advantage nor solicit Department customers for private practice.
 - b. Not use their position or information acquired through their position to coerce or otherwise influence the public or customers for personal favors or gain for themselves or others.
 - c. Avoid relationships or commitments that would knowingly conflict with the best interests of customers or the Department.
 - d. Respect and protect civil and legal rights when providing services.
 - e. Portray a professional demeanor by treating colleagues, customers and the public with respect, in a professional manner and not abusing them physically, sexually, or verbally by engaging in any language or activity which is demeaning, belittling or otherwise offensive.
 - f. Not ridicule, mock, deride, taunt, or belittle any person or group of persons; nor willfully embarrass, humiliate or shame any person.
 - g. Respect and act courteously and civilly with each other and the public. Employees shall not use coarse, loud, indecent, or profane language in any public place, including, but not limited to CCE while representing the department.
4. As part of this policy, CCE employees shall comply with the following directives:
 - a. Do not disclose confidential information to any person, agency, or organization without prior authorization.
 - b. Do not falsify or wrongfully destroy any record, report, or claim, or knowingly enter or cause to be entered any false or improper information in Department records.
 - c. Under no condition should an employee share his or her password with another person. Employees are obligated to guard against unauthorized access to all accounts. When employees are away from their desks, they are responsible to take precautions to protect their accounts. However, as part of succession planning, CCE systems' logins and passwords should be recorded and stored in a secure file.
5. Supervisory Relationships with Employees
 - a. Supervisors and other administrators shall treat subordinates respectfully and professionally.
 - b. Supervisors and other administrators shall encourage and facilitate the professional development of employees in fulfilling their job duties with the resources available.
 - c. Supervisors and other administrators shall not exploit other employees for personal favors or gain.
 - d. Supervisors or other administrators shall not use their position of authority to harass, discriminate against, or become involved in sexual relationships with their subordinate or other CCE employees.
 - e. Supervisors shall be mindful of their responsibilities in maintaining a harassment-free work environment by setting an example of appropriate behavior, taking a proactive stance in

preventing workplace harassment, and by taking appropriate action in a timely manner if inappropriate behavior occurs.

6. Relationships with Other Employees.
 - a. Respect the personal and professional privacy of colleagues.
 - b. Treat with respect the views, values, cultural differences, and everyday work activity of colleagues.
 - c. Use appropriate channels to express judgments on these matters and avoid derogatory or uncomplimentary gossip.
 - d. Initiate or assist appropriate efforts to facilitate problem resolution between colleagues.
 - e. Treat each other respectfully and professionally.
 - f. Avoid slanderous or malicious gossip.
 - g. Do not harass or discriminate against another employee.
 - h. Refrain from using abusive and profane language (This includes any profanity or vulgar language or activity that is demeaning, belittling, or offensive to others).
 - i. Do not intimidate, use physical harm or threats of physical harm against coworkers, customers, management, or the public at any time.
 - j. Employees shall be respectful and follow appropriate orders of a manager or supervisor. An employee may seek assistance from the Human Resource Director or HR Specialist if the employee believes an inappropriate order was given.
 - k. Employees should not participate in intimate or sexual relationships with co-workers or customers while in the workplace. Intimate or sexual relationships outside of the workplace with co-workers or customers that affect the ability of the Department to provide services, become disruptive in the workplace, or cause the public to lose confidence with the Department's ability to provide appropriate services are prohibited.
 - l. Report any instance of questionable or unethical behavior to management personnel or Human Resources.
7. Mission of the Department - Adhering to the Mission of the Department, the employee shall:
 - a. Work through official channels to promote changes in Department policy when the employee feels policy is contrary to the best interests of CCE employees or customers.
 - b. Not use official position, work time or Department resources to publicly protest or petition outside established channels against the Department or an official position taken by the Department or the State of Utah. This does not inhibit an employee's right to take any position publicly or privately on their own time, using their own resources.
8. Legislative Communications of CCE Employees - "Legislative Communications" means the attempt by an employee of CCE working in the capacity of CCE to influence, either directly or indirectly, by communicating with a legislator, the passage or defeat of legislative budget or policy actions. "Legislative Communications" does not include communications between or within Executive Branch Departments, testifying before a legislative body (including a legislative committee or task force), communications with legislative staff, or communications required by law. "Legislative Communications" are not to be confused with political activity which is covered under DHRM Rule 477-9-4 and Utah Code 63A-17-904.
 - a. The CCE Department Director and the CCE Department Deputy Director (or employees authorized by the CCE Department Director) will communicate with the Legislative body regarding the budget or policies of the Department and Divisions of the Department. Any employees communicating with the legislative body regarding the budget or policies of a

specific division or program must coordinate with and have express permission from the CCE Department Director or CCE Department Deputy Director to do so. This coordination and permission assures that Divisions are not working at cross-purposes with the Governor, Department, or other Divisions within the Department and prevents confusion on the part of Legislative Officials as to the Department's priorities.

- b. If an employee has an opportunity to speak to or is approached by a legislator during the course of normal work duties, they must contact the CCE Department Director, the CCE Department Deputy Director, or their Division Director before answering any budget or policy questions or giving opinions about any budget or policy matters. If an employee has any doubts or questions about what they may or may not communicate in any situation involving the Legislature or individual legislators, they must ask and gain the approval of CCE Department Director, the CCE Deputy Director, or their Division Director before any communications occur.
 - c. Divisions may not take a position on legislative action that is contrary to the position or of the Governor or the Department or the mission of the Department.
 - d. CCE employees may not directly contact a non-governmental entity or individual for the sole purpose of requesting that such individual or entity advocate for or against the policy positions of the Department, a legislator or a legislative action except with the consent of the Governor (Article VII Section 5 Utah State Constitution).
 - e. CCE employees have the right to free speech on the individual's own time and with non-state resources provided that an individual may not state or imply that they are representing the interests of the Governor or the Department. This means an employee may not undertake legislative communications during work hours, email legislators from their Utah.gov email address, use their work title or position in any communications, and in any way imply that they are acting under the authority of the Department or Division, or representing the Department or Division. It must be clear that they are advocating on their own behalf and not that of the Department's or the Department's employees.
9. Personal Work Ethics.
- a. Laws, Rules and Regulations: Employees will not knowingly violate any applicable civil or criminal law, regulation, rule or policy governing work or professional activities.
 - b. Professional Competence: To maintain and exercise professional competence, employees will:
 - i. Not engage in conduct on or off the job that compromises the ability of the individual or Department to fulfill professional responsibilities.
 - ii. Make no untrue representations to the Department, colleagues, customers or prospective customers concerning professional credentials or licensure, education, training or experience.
 - iii. Report through appropriate channels any known or suspected action, including improper employee or customer treatment such as: abuse, discrimination, or sexual harassment by a colleague that compromises the individual or Department's ability to fulfill professional responsibilities.
 - iv. Inform management of perceived problems in Department policy or procedures that affect or could affect the quality of services.
 - v. Not use a state position, any influence, power, authority or confidential information received in that position, nor state time, equipment, property, or supplies for personal or private gain or personal or private gain for a family member or relative.

- vi. Not solicit political contributions during their hours of employment.
- vii. Inform their supervisor within 10 calendar days if they are convicted of or have entered a plea of guilty, no contest, or a plea in abeyance to a misdemeanor or felony.
 - i. Not use state owned communication equipment or services (computers, fax machines, copiers, cell phones or other electronic devices etc.) in violation of the Department of Technologies' acceptable use of information policies (DTS Acceptable Use of Information Policy R895-7). The employee agrees to comply with DTS Rule 895-7 that states that use of state provided IT resources for religious or political functions is prohibited;
 - ii. Avoid all appearance of impropriety when accepting gifts and gratuities. Employees are expected to comply with the Governor's Executive Order 002 2014 Establishing an Ethics Policy for Executive Branch Agencies and Employees.

10. Performance of Duties: During the performance of duties, employees shall:

- a. Not participate in, condone, conceal or be associated with dishonesty, fraud, misrepresentation or theft.
- b. Use Department resources frugally and only for the purpose for which intended. CCE grants employees the privilege of using state public property for incidental personal use as long as the employee is using state public property to perform their duties of employment, personal use is limited and not detrimental to the mission or operations of the Department, and personal use does not interfere with the performance of the employee's duties and does not violate any Utah State Codes of laws (Utah Code 76-8-101(5)).
- c. Work with their manager to make every effort to maintain appropriate skills for their job assignments.
- d. Not misuse sick leave or overtime privileges.
- e. Not consume alcohol, illegal substances, or other substances that could impair functioning in a proper and safe manner, nor be under the influence of alcohol, illegal substances, or other substances that could impair their functioning in a proper and safe manner while on duty, on standby, in an on-call status, on state owned or leased property, while accessing any non-public IT resource, or in a state-owned or state-leased vehicle.
- f. Maintain appropriate, approved work schedules: Work schedules shall be prior approved by supervisors to provide flexibility to the employee while balancing the needs of the Department. With supervisor approval, employees may use lunch periods to shorten a work day by taking them at the beginning or ending of a shift. Break periods may not be accumulated to accommodate a shorter work day, but may, with prior supervisor approval, be used to extend a lunch period. Employees shall not work overtime without prior approval.
- g. Not engage in unprofessional conduct on or off the job that compromises the ability of the employee, the agency, or the state to fulfill its responsibilities including, but not limited to engaging in any off-duty illegal drug-related activity or other conduct that is unbecoming to the public reputation of the Department or would cause the public to lose confidence in the Department to provide appropriate services to the public.
- h. Not unlawfully manufacture, dispense, possess, or distribute any controlled substance or

alcohol during work hours, on state property, or while operating any vehicle while on duty.

- i. Support a work environment that is safe from all forms of violence, including domestic violence perpetrated within the workplace.
 - j. Perform and apply themselves to their assigned duties during all hours for which they are being compensated.
 - k. Dress professionally and appropriately for the assigned worksite.
 - l. Not engage in any activity that could be considered dereliction of duty, including, but not limited to, absence without authorized leave, failure to report for duty at the time and place of duty, or leaving place of duty or assignment without authorization, abuse of leave, neglect of standard performance, reluctance or negligence to perform assigned duties, inattention to duty, sleeping on duty, neglect of responsibilities, and leaving the work area unattended or inappropriately attended, failure to comply with training requirements, and refusal to maintain a current address and telephone number on file with the department.
 - m. Be familiar with and follow Department policies and all applicable administrative rules.
11. Reporting Violations - Employees must immediately report suspected violations of this policy to appropriate management personnel. Appropriate management personnel should report all violations of this policy to the Executive Director or designee and the Department's Human Resources Director or HR Specialist. The Human Resource Director or HR Specialist will make recommendations on appropriate actions regarding disciplinary or administrative action to be taken. If potential liability exists, State Risk Management shall be consulted for advice or assistance. Supervisors must take immediate action when a violation of policies, laws, rules or regulations comes to their attention. Violations and any resulting disciplinary or administrative action shall be detailed in the employee's official personnel file. All disciplinary actions will follow Department of Human Resource Management Rules.