

ADMINISTRATIVE REGULATIONS

TAB: Governance

DOCUMENT NUMBER: ARM 10-30-20

SECTION: Johnson County Government

SUBJECT: CODE OF ETHICS

SUMMARY

This document is the basic statement by Johnson County Government regarding standards of conduct for County employees.

Effective Date:

December 1, 1988

Reviewed:

August 2, 2016

November 8, 2018

October 20, 2020

PURPOSE OF CODE

Purpose: The Code of Ethics for Johnson County Government is intended to establish standards of conduct expected of those persons who act for or on behalf of the public in the performance of all governmental duties and responsibilities.

It is, therefore, the purpose of this Code of Ethics to:

STANDARDS

1. Maintain high ethical standards in Johnson County Government;

**PUBLIC
CONFIDENCE**

2. Increase public confidence in the integrity of the officials and employees of Johnson County Government;

PROPER COURSE

3. Assist officials and employees in determining the proper course of action when faced with uncertainty in ethical obligations; and

**UNWARRANTED
CRITICISM**

4. Support the actions of the Government, its officials and employees in situations of unwarranted criticism.

TO WHOM APPLIES

Application: This Code of Ethics for Johnson County Government shall apply to all persons who are elected to the Office of Commissioner of Johnson County, Kansas; to all elected officials of Johnson County, Kansas; to all persons appointed or hired as employees of the County; its agencies, departments or commissions, whether temporary or permanent, whether full-time or part-time; to all persons appointed by the Board of County Commissioners to any position, board or commission, whether compensated or not; other than independent contractors, who perform personal services for and on behalf of the County; and to all persons elected or appointed to hold any office in Johnson County, Kansas. The ethical standards, considerations and rules of conduct shall apply and be observed during the person's term of office service with the County.

CONFIDENTIALITY

All proceedings of the Ethics Advisory Board, the Ethics Review Commission, the Board of County Commissioners, and any official, department or agency, in investigating and reviewing any ethics complaints shall be deemed as personnel matters and, thus, shall be confidential.

PROCEDURES

Complaints and Procedures:

Departmental Review

A. Departmental Review. Any allegation of a violation of the Code of Ethics for Johnson County Government should first be filed with the official, agency director or department head that has supervisory responsibility for the office or department in which the violation is claimed to have occurred. Whenever possible, the complaint shall be acted upon and resolved through standard policies and procedures of the applicable county department or agency or through the County Personnel Policies.

Advisory Board

B. Advisory Board Review. In the event Review that any allegation of a violation of the Code cannot, for whatever reason, be resolved through standard policies or procedures, then the complaint shall be made or referred to the Ethics Advisory Board for review and consideration.

Ethics

The Advisory Board may, as it deems necessary, conduct an investigation of the complaint, which may include interviewing persons who may have knowledge of the facts of the complaint.

Findings

Upon completion of its review and/or investigation, the Ethics Advisory Board shall prepare a written report, stating its findings, conclusions, and recommendation on the complaint. If the Advisory Board finds that there is no merit to the allegations of the complaint and there is no cause to believe that a violation has occurred, then the Advisory Board shall immediately issue its finding, dismissing the complaint. If the Advisory Board finds that there is cause to believe that a violation may have occurred, then the report of its findings and conclusions shall be:

Report Path

a. submitted to the appropriate elected official, department head, or agency director and to the County Personnel Department, if the complaint involves an employee, for their review, consideration and action;

b. submitted to the County Administrator if the complaint involves a department head or agency director for his review, consideration and action;

c. submitted to the Board of County Commissioners if the complaint involves the County Administrator, an appointed official or member of any County board or commission, or any person acting as a representative on behalf of the County; and

EMPLOYEE
STANDARDS

d. submitted to the Ethics Review Commission if the complaint involves a member of the Board of County Commissioners or an elected official of the County.

An official, whether elected or appointed, and an employee in government service should:

- Moral Standards **Standard 101:** Always put loyalty to high moral standards and to the County above any loyalty to persons, department or agency, or political or other interests.
- Uphold Laws **Standard 201:** Uphold the Constitution, laws and regulations of the United States, the State of Kansas, and Johnson County and never be a party to their evasion.
- Best Effort **Standard 301:** Seek to find and employ more efficient and economical ways to provide service and give to the performance of his or her duties their best attention, efforts and thoughts.
- Fair Treatment **Standard 401:** Treat every citizen fairly and equally with courtesy and respect and never discriminate unfairly by dispensing of special favors or privileges to anyone, whether for remuneration or not; and should never accept for himself or family, favors or benefits under circumstances which might give the appearance to reasonable persons as influencing the performance of his governmental duties.
- Uphold Integrity **Standard 501:** Refrain from making any promise, private in nature, the performance of which would require him to act beyond the proper scope of the duties of his office or to act in a manner which would or could compromise the integrity of his public office.
- Conflict of Duties **Standard 601:** Never engage in any business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
- Confidentiality of Information **Standard 701:** Never use any information coming to him confidentially in the performance of governmental duties as a means for making a private profit or gaining benefit for himself or others; and never reveal any information made known to him through his public office which is by law confidential or by custom a protected right of privacy where revealing the information would affect the civil or moral rights of any citizen.
- Public Trust **Standard 801:** Always safeguard the public trust and never use nor allow the use of government property or funds for private purposes, for purposes other than those authorized or permitted, or for purposes which could mislead the citizens or damage the confidence and reputation of the government.
- Integrity **Standard 901:** At all times display the highest level of integrity in performing his or her duties and never knowingly

nor negligently mislead or allow others to mislead the public or other government officials nor fail to disclose or report to appropriate officials any corruption wherever discovered.

Appearance of
Improper
Influence

Standard 1001: Avoid the appearance of improper influence and refrain from ever receiving, soliciting or accepting gifts, gratuities, favors or anything of value for himself, his family or others, which is intended or has the appearance or effect of influencing the performance of his duties; and should never himself lobby nor attempt to influence others in the performance of their duties by any means which are not a part of his authorized duties.

Conflict of
Interest

Standard 1101: Never allow his judgment to be compromised by any personal, family or business interest not a part of his government service and never act upon any matter in which he, his family, or business has or may have any financial or beneficial interest; and should always declare and disclose the full nature and extent of any personal, family, or business interest in any matter related to governmental actions or duties.

Public
Representative

Standard 1201: Stand as a representative of the government and the public trust and never intentionally act outside the scope of their authority in that representation nor allow themselves to be perceived as acting on behalf of the public or government when, in fact, they are not.

POLICY

Policy Statement: It is the policy of Johnson County Government that:

A. All citizens be provided fair and equal access to and treatment by the government, without any appearance or element of discrimination or favor or consideration of any special interest; and

B. All official actions taken in the performance of government duties or responsibilities be motivated to the service of the public interest and the protection of the public trust without any regard for personal achievement, aggrandizement, or personal benefit; and

C. All persons who act for or represent the interests of Johnson County Government adhere to the highest standards of ethical conduct in the performance of their official duties to the end that the public trust is never violated nor its power abused; and

D. The policies and procedures for operation of the County government provide for efficient and cost-effective service, responsive to the public interest, that will preserve and promote confidence in government and the integrity of its members.