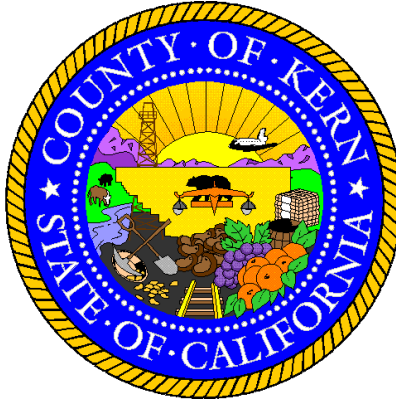


KERN COUNTY CODE OF CONDUCT



“No responsibility of Government is more fundamental than the responsibility for maintaining the highest standard of ethical behavior by those who conduct the public business. There can be no dissent from the principle that all officials must act with unwavering integrity, absolute impartiality, and complete devotion to the public interest. This principle must be followed not only in reality but in appearance. For the basis of effective government is public confidence, and that confidence is endangered when ethical standard falter or appear to falter.”

President John F. Kennedy
April 27, 1961

Kern County employees,

This Code of Conduct was created to serve as both a pledge and a guide for all County employees. As Kern County employees we hold positions of public trust and are expected to act with a conduct that embraces our County’s mission and vision. This code serves as a fair notice of the expected professional and ethical obligations.

This code is not to be considered all-inclusive. The absence of a specific published conduct does not imply that an act of misconduct is permissible. Please carefully read and acknowledge your responsibility to abide by the standards of conduct.

KERN COUNTY MISSION STATEMENT

Kern County’s mission statement communicates what our government is committed to doing for the community. It defines why our government exists...

“To enhance the quality of life in Kern County by protecting and serving our citizens.”

(Reference: Kern County Strategic Plan Adopted by the Board of Supervisors)



KERN COUNTY VISION STATEMENT

Kern County’s vision statement communicates that our government is committed to the people we serve and is the model of effective local government. It defines our commitment...

“To create and maintain a customer-centered County government designed to garner the confidence, support and trust of the people we serve.”

(Reference: Kern County Strategic Plan Adopted by the Board of Supervisors)



KERN COUNTY CODE OF CONDUCT

As Kern County employees, we hold positions of public trust and we must share a common commitment to ethical conduct. These standards of conduct are founded on basic principles of ethical behavior and are consistent with the County’s mission and vision as illustrated in our Kern County Civil Service Rules, Administrative Policy and Procedures Manual, Administrative Bulletins, Ordinances, and Strategic Plan. We dedicate ourselves to upholding the highest standards of conduct in the performance of our duties by adhering to the following Six General Principles:

- Treat members of the public and fellow employees respectfully, fairly and honestly at all times.
- Perform your duties in compliance with all federal, State and local laws, and avoid any involvement in illegal, unethical or improper conduct.
- Conduct your official County duties in conformance with the County’s policies and procedures, and in accordance with the highest standards of ethical and legal conduct.
- Ensure that County funds and property are used with extreme care, guided by prudent judgment and good business practices.
- Create a work environment that promotes open and honest communications, and encourages raising ethical concerns without fear of retribution or retaliation.
- Assume responsibility for knowing, understanding and having a practical working knowledge of the laws and regulations applicable to your job.

The County is committed to the principle of treating each employee with respect and dignity. County employees in turn are expected to treat their customers, clients, and colleagues with respect, dignity, and professionalism. It is important for employees to share knowledge and information and support one another in order to be successful, individually and as a team.

Equal Opportunity

No person shall be appointed, reduced or removed, or in any way favored or discriminated against because of his religious opinion, color, race, religion, creed, national origin, ancestry, sex or age, except where sex or age is a valid occupational qualification.

(Reference: Kern County Ordinance 3.04.110 - Nondiscrimination)

Violations

Employees are expected to conduct themselves in an orderly and disciplined manner and to comply with the Civil Service Rules at all times. An employee may be dismissed, suspended, reduced in rank and/or compensation, or reprimanded for any conduct that provides cause for discipline under the Civil Service Rules or other laws, regulations, or policies. A violation of Civil Service Rules or other nonconforming behavior includes, but is not limited to the following:

Criminal Law

- Aiding and Abetting
- Assault
- Bribery
- Burglary
- Conspiracy
- Criminal Threats
- Destroying or Concealing Evidence
- Embezzlement
- Extortion
- Forgery
- Fraud
- Identity Theft
- Receiving Stolen Property
- Stalking
- Theft
- Appropriation or Theft of Lost Property

Civil Service Rules

- Absence Without Leave
- Conviction of any Crime Involving Moral Turpitude
- Conduct Unbecoming of an Employee in the Public
- Disorderly or Immoral Conduct
- Incapacity
- Incompetency or Inefficiency
- Insubordination
- Possession or Under Influence
- Neglect of Duty
- Negligence, Willful Damage, or Waste
- Violation of Lawful or Reasonable Regulation
- Fraud in Securing Appointment
- Dishonesty
- Improper Political Activity
- Willful Violations
- Discourteous Treatment of the Public or Other Employees

(Reference: Kern County Civil Service Rule 1700 – Dismissal, Suspension, or Reduction)

(Reference: Kern County Policies and Procedures Manual Chapter 1 Personnel Administration - 139 Disciplinary Actions)

(Reference: Penal Code)

Hostile Work Environment

Kern County's policy is to provide its employees a work environment that is free from hostile and offensive conduct. The County is committed to promoting and maintaining a pleasant and productive workplace for all its employees, and as such, each and every person conducting business for or with the County should be treated with dignity and respect. Therefore, any and all forms of conduct which enable or create a hostile work environment are expressly prohibited. Such prohibited conduct may include, but is not limited to the following:

- **Discriminatory Conduct:** Conduct based on a person's race, national origin, sex, age, physical or mental disability, medical condition, marital status, ancestry, religious affiliation, union affiliation, political affiliation, or sexual orientation.
- **Verbal Conduct:** Conduct such as disparaging remarks, slurs, jokes, innuendos, epithets, threatening, screaming, cursing, taunting, heckling, spreading rumors, and unwanted sexual advances, comments, or propositioning.
- **Physical Conduct:** Conduct such as gestures, leering, unwelcoming contact, pinching, patting, grabbing, blocking or impeding movement, assault, or any action which physically interferes with or unnecessarily impinges upon an individual person's work, privacy, or movements.
- **Visual Conduct:** Conduct such as derogatory, sexually oriented, prejudicial, or otherwise generally offensive photographs, posters, objects, cartoons, drawings, graffiti, email, letters, or other writing.

(Reference: Kern County Policies and Procedures Manual Chapter 1 Personnel Administration – Exhibit J Hostile Work Environment Policy)

Sexual Harassment

Sexual harassment in any manner or form is expressly prohibited. All employees are to be treated with respect and dignity. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- 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.

(Reference: Kern County Policies and Procedures Manual Chapter 1 Personnel Administration – Exhibit B Sexual Harassment Policy)

Workplace Violence

Violence and threats of violence in a Kern County workplace is unacceptable and will not be tolerated. This includes threats and violent behavior, direct, indirect, perceived or actual, from any person, and directed toward any person, occurring at any County facility or in connection with the conduct of County business without regard to location. Employees shall refrain from engaging in any acts or threats of workplace violence and shall immediately report any such incidents to their supervisor or other designated individual. Such acts of violence include, but are not limited to the following:

- Possessing a weapon in violation of Penal Code Section 171b.
- Committing an assault or battery, including a sexual assault or battery.
- Threatening to use or using a weapon in an illegal manner.
- Engaging in any behavior that unreasonably risks the safety of another.
- Stalking.
- Accosting or harassing another, either face-to-face, or by other forms of communication.
- Lawfully possessing a weapon in a County workplace unless expressly approved by the employee's department head.

(Reference: Kern County Policies and Procedures Manual Chapter 1 Personnel Administration – Exhibit G Workplace Violence Policy)

Drug and Alcohol Use

Employees shall not be under the influence of drugs or alcohol, and shall not possess, manufacture, sell or provide alcohol or drugs while on County property, at County work locations, or while on duty or on stand-by. Involvement with drugs and alcohol can lower job performance and impact safety. Any substance, which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or otherwise adversely impacts the County, is prohibited. Use of medically prescribed medications and drugs is not by itself a violation of this policy. However, an employee who is taking medication, which could foreseeably interfere with the safety and effective performance of duties or the operation of County equipment, must inform their supervisor before beginning work. The County urges employees with an alcohol or drug abuse problem to seek confidential help from the Employee Assistance Program (EAP).

(Reference: Kern County Policies and Procedures Manual Chapter 1 Personnel Administration – Exhibit C Alcohol and Drug Abuse Policy)

Fraud, Waste, and Abuse

Integrity begins with all employees recognizing the importance of protecting the County from fraud, waste, and abuse. The County strongly encourages each employee to take steps to prevent and report the following types of improprieties which includes and is defined by the following:

- **Fraud:** A false or misleading statement or action, or concealment of something that should be disclosed, which is intended to deceive, that results in the direct or indirect benefit of an employee to the detriment of another person or the County.

- **Waste:** The intentional or unintentional, thoughtless or careless expenditure, consumption, mismanagement, use, or squandering of resources owned or operated by the County. Waste also includes incurring unnecessary costs because of inefficient or ineffective practices, systems, or controls.
- **Abuse:** The excessive or improper use of something, in a manner contrary to the natural or legal rules for its use; the intentional destruction, diversion, manipulation, misapplication, maltreatment, or misuse of resources owned or operated by the County; or extravagant or excessive use so as to abuse one’s position or authority.

Fraud, waste, and abuse is a very broad term that can affect the County in many different ways to any extent that County resources are involved or impacted. It can be committed by a single individual or in collusion with others, internally or externally, including but not limited to employees, departments, vendors, contractors, clients, and associates. Examples of fraud, waste, and abuse activities include, but are not limited to the following:

- Misappropriation or theft of funds, records, supplies, property, or other assets.
- Altercation or falsification of records.
- Knowingly providing false information.
- Misuse of time or submitting a fraudulent time card.
- Willful destruction or damage of property or records.
- Neglect of job responsibilities.
- Misuse of authority for personal gain.

(Reference: Kern County Policies and Procedures Manual Chapter 6 Government Accountability – 602 Definitions)

(Reference: Kern County Policies and Procedures Manual Chapter 6 Government Accountability – 603 Fraud, Waste, and Abuse)

Government Accountability

Kern County employees must have a duty of loyalty and a duty of care in fulfilling their public trust in government services. These duties mandate compliance with federal and State laws and regulations, as well as County regulations that apply to each employee’s specific responsibilities. The duty of compliance extends to all County operations, including, but not limited to the following:

- Accounting
- Purchasing
- Contracting
- Delivery of Services
- Required Reporting

(Reference: Kern County Ordinance 2.01.010 – Government Accountability)

(Reference: Kern County Policies and Procedures Manual Chapter 6 Government Accountability – 601 General Statement)

Conflict of Interest

No Kern County employee shall engage in any employment, activity, or enterprise which results in any of the following:

- Using the prestige or influence of County employment for their private gain or advantage, or the private gain or advantage of another.
- Using County time, facilities, equipment or supplies for their private gain or advantage, or the private gain or advantage of another.
- Using confidential information acquired by virtue of County employment for their private gain or advantage, or the private gain or advantage of another.
- Receiving or accepting money, or any other consideration, from anyone other than the County for the performance of an act which they would be required or expected to render in the regular course or hours of their County employment.
- Performance of an act knowing that such act may later be subject, directly or indirectly, to the control, inspection, review, audit or enforcement.
- Use their official position to influence a governmental decision in which they know or have reason to know they have a financial interest.
- Non-County employment or self-employment outside of regular County working hours which involves such time demands or services of such a character as to impair effectiveness in County employment.

(Reference: Kern County Ordinance 2.02.010 – Act Constituting Conflict of Interest)

Gifts

No Kern County employee shall participate in making or in any way attempt to use their official position to influence a reasonably foreseeable governmental decision by a provided, received, or promised gift as defined by regulations of the California Fair Political Practices Commission. Additionally, employees shall not accept travel or other expenses related to product or equipment demonstrations or training sessions from a potential County vendor.

(Reference: Kern County Ordinance 2.02.010 – Act Constituting Conflict of Interest)

(Reference: Kern County Policies and Procedures Manual Chapter 3 Employment Related Expenses – 312 Training or Travel Expense Donations or Gifts)

Confidential Information

No Kern County employee shall use confidential information acquired by virtue of County employment for the employee's private gain or advantage, or the private gain or advantage of another. Additionally, employees are required to adhere to federal and State laws regulating the privacy of medical information. The County is committed to providing a confidential environment surrounding all Protected Health Information. Intentional, unauthorized access to, use of, or disclosure of information is strictly prohibited. Furthermore, the County cannot tolerate negligent or inadvertent disclosure of confidential information and will hold its employees to strict standards.

(Reference: Kern County Ordinance 2.02.010 – Act Constituting Conflict of Interest)

(Reference: Kern County Administrative Bulletin No. 38 – Confidentiality of Medical Information Policy)

Political Activities

Regulating the political activities of employees preserves the efficiency and integrity of Kern County government. No employee shall participate in any political activity on County time or in any manner involving the use of County property or expenditure of public funds, nor convey County endorsement or support for a candidate for local, State or federal office.

(Reference: Kern County Ordinance 3.04.100 – Political Activities of County Employees)

Outside Employment, Activities, and Enterprises

Employees are only allowed to engage in any employment, activity or enterprise which is not incompatible, inconsistent, or in conflict with or inimical to their office or duties. The engagement must have prior approval by the appointing authority and be consistent with the provisions of the department, ordinances, and other applicable laws.

(Reference: Kern County Ordinance 2.02.020 – Departmental Regulations to Implement Chapter Provisions)

Post-Employment

Employees classified as management, mid-management, or confidential have access to information and extensive knowledge of County business. Therefore, for a period of one year after leaving employment, employees in these classifications are prohibited from being compensated for acting as agent or attorney for, or otherwise represent, any other person or entity for the purpose of influencing administrative or legislative action.

(Reference: Kern County Ordinance 2.02.040 – Post-Employment Restrictions Regarding Representation, Appearance, or Communication)

Reporting

Individuals who have been subjected to or have witnessed inappropriate conduct should report the incident to their manager, supervisor, or another appointing authority. If an individual feels uncomfortable reporting a violation with their respective department they can contact the following:

County Administrative Office
Compliance and Accountability Officer
1115 Truxtun Avenue, 5th Floor
Bakersfield, CA 93301
(661)868-3198
compliance@co.kern.ca.us

Auditor-Controller
Audit Chief
1115 Truxtun Avenue, 2nd Floor
Bakersfield, CA 93301
(661)868-3599

The Auditor-Controller maintains a hotline to receive calls from individuals who have information regarding fraud, waste, and abuse. This hotline is administered through a professional third-party corporation. The Auditor shall hold, in confidence, information disclosed through the hotline, including the identity of the caller disclosing the information and the parties identified by the caller. The Auditor is responsible for conducting the investigative audit and keeping the investigation confidential. Individuals are encouraged to call the following phone number to anonymously report allegations of fraud, waste, and abuse:

Anonymous Hotline
(800)620-6947

(Reference: Kern County Policies and Procedures Manual Chapter 6 Government Accountability – 604 Fraud Protocol)

Retaliation

No individual shall be retaliated against for making a complaint or bringing inappropriate conduct to the County's attention. A supervisor receiving a complaint shall immediately report it to appropriate authority. A prompt and thorough investigation shall ensue and the appointing authority shall take prompt remedial action when it is warranted.

(Reference: Kern County Policies and Procedures Manual Chapter 1 Personnel Administration – Exhibit B Sexual Harassment Policy)

**KERN COUNTY
CODE OF CONDUCT**

Employee Name: _____

Department: _____

My signature indicates that I have received and read the Kern County Code of Conduct and I agree to abide by its terms. Conduct that does not conform to the rules and guidelines contained in this Code may be subject to disciplinary action for violation of the referenced Kern County Civil Service Rules, Administrative Policy and Procedures Manual, Administrative Bulletins, and Ordinances.

My signature further indicates that I am given the opportunity to inquire and to seek additional information from the referenced sources, department's designee, and other County representatives in the event of any misunderstanding of the required conduct.

Employee Signature

Date