

Policy Directive

1007

CHFD ETHICS

EFFECTIVE DATE: JULY 1, 2002

REVISION DATE:

GENERAL INFORMATION

Objective

It is the purpose of this Policy Directive to help guide the Cherry Hill Fire Department and its employees in emphasizing ethics as an approach to everyday business. As in any similar type policy, the laws that govern our community, state and federal government belie the principles within this document.

All personnel will be governed by these publications and shall be aware of the contents of same and their responsibilities for compliance when appropriate. Officers will review this information with all assigned members at the start of their shift. A copy of this Order will be posted for 30 days from the date issued.

POLICY

We believe working at the Cherry Hill Fire Department is a public trust. The vitality and stability of an organization like ours rely on the public's confidence in the integrity of our members. Whenever the public perceives a conflict between the private interests and the public duties of an appointed government employee or staff personnel in a public organization, that confidence is imperiled.

Ethics and integrity are the cornerstones of the Department's ability to serve the public interest. They are also the cornerstones of developing, earning and maintaining the trust and respect of the citizens of Cherry Hill.

The Cherry Hill Fire Department has the duty both to provide the citizens they serve with standards by which they may determine whether public duties are being performed and to apprise their employees and members of the behavior which is expected of them while conducting their duties.

Our goal is to provide a method of assuring a standard of ethical conduct for the Cherry Hill Fire Department members and employees that is clear, consistent and uniform in its application, and to provide its members and employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties. Further, it requires its members and employees to be independent, impartial, and responsible to the public.

This document will be liberally construed in favor of protecting the public's interest in full disclosure of conflicts of interest and promoting ethical standards of conduct for Department members and employees.

RESPONSIBILITY

Personal responsibility is important for every member of the Department. If mediocrity in ethics is allowed to become the normal operating procedure for a department, then the integrity of the department is compromised.

Accordingly, this policy establishes standards of conduct for all members and employees of the Cherry Hill Fire Department under the jurisdiction of the Board of Fire Commissioners, District 13, Cherry Hill, whether elected or appointed, paid or unpaid, and they shall comply with the following provisions.

1. Disqualification From Acting on Department Business

- a) Engage in any transaction or activity, which is, or would to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties, or which impairs, or would to a reasonable person appear to impair, the member's or employee's independence of judgment or action in the performance of official duties and fail to disqualify him or herself from official action in those instances where the conflict occurs;
- b) Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any matter upon which the member or employee is required to act in the discharge of his or her official duties, and fail to disqualify himself or herself from acting or participating;
- c) Fail to disqualify himself or herself from acting on any transaction which involves the Department and any person who is, or at any time within the preceding twelve (12) month period has been a private client of his or hers, or of his or her firm or partnership;
- d) Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any contract or transaction to which the Department or any Department agency may be a party, and fails to disclose such interest to the appropriate Department authority prior to the formation of the contract or the time the Department or Department agency enters into the transaction; provided, that this paragraph shall not apply to any contract awarded through the public bid process in accordance with applicable law.

2. Improper Use of Official Position

- a) Use his or her official position for a purpose that is, or would to a reasonable person appear to be primarily for the private benefit of the member or employee, rather than primarily for the benefit of the Department; or to achieve a private gain or an exemption from duty or responsibility for the member or employee or any other person;
- b) Use or permit the use of any person, funds, or property under his or her official control, direction, or custody, or of any Department funds or Department property, for a purpose which is, or to a reasonable person would appear to be, for other than a Department purpose; provided, that nothing will prevent the private use of Department property which is available on equal terms to the public generally, the use of Department property in accordance with municipal policy for the conduct of official Department business (such as the use of a Department automobile), if in fact the property is used appropriately; or the use of Department property for participation of the Department or its officials in activities of associations of governments or governmental officials;
- c) Except in the course of official duties, assist any person in any Department transaction where such Department member or employee's assistance is, or to a reasonable person would appear to be, enhanced by that member or employee's position with the Department; provided that this subsection; but shall not apply to: any member or employee appearing on his or her own behalf or representing himself or herself as to any matter in which he or she has a proprietary interest, if not otherwise prohibited by ordinance;
- d) Regardless of prior disclosure thereof, have a financial interest, direct or indirect, personally or through a member of his or her immediate family, in a business entity doing, or seeking to do, business with the Department, and influence or attempt to influence the selection of, or the conduct of business with, such business entity by the Department.

3. Accept Gifts or Loans

Solicit or receive any retainer, gift, loan, entertainment, favor, or other thing of monetary value from any person or entity where the retainer, gift, loan, entertainment, favor, or other thing of monetary value has been solicited, or received or given or, to a reasonable person, would appear to have been solicited, received or given with intent to give or obtain special consideration or influence as to any action by such member or employee in his or her official capacity; provided, that nothing shall prohibit contributions which are solicited or received and reported in accordance with applicable law.

4. Disclose Privileged Information

Disclose or use any privileged or proprietary information gained by reason of his or her official position for a purpose which is for other than a Department purpose; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.

5. Hold Financial or Beneficial Interest in Department Transaction.

- a) Regardless of prior disclosure thereof, hold or acquire a beneficial interest, direct or indirect, personally or through a member of his or her immediate family, in any contract which, in whole or in part, is, or which may be, made by, through, or under the supervision of such member or employee or which may be made for the benefit of his or her office; or accept, directly or indirectly, any compensation, gratuity, or reward in connection with such contract from any other person or entity beneficially interested therein, in violation law.
- b) Regardless of prior disclosure thereof, be beneficially interested, directly or indirectly, in any contract or transaction which may be made by, through or under the supervision of such member, in whole or in part, or which may be made for the benefit of his office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contracts or transaction from any other person beneficially interested therein.

6. Prohibited conduct after leaving the Department

- a) No former member or employee shall disclose or use any privileged or proprietary information gained by reason of his/her Department employment unless the information is a matter of public knowledge or is available to the public on request;
- b) No former member or employee shall, during the period of one (1) year after leaving Department Office or employment:
 - Assist any person in proceedings involving the agency of the Department with which he or she was previously employed, or on a matter in which he or she was officially involved, participated or acted in the course of duty
 - Represent any person as an advocate in any matter in which the former member or employee was officially involved while a Department member or employee;
 - Participate as a competitor in any competitive selection process for a Department contract in which he or she assisted the Department in determining the project or work to be done or the process to be used.
- c) A Department member, who contracts with a former Department member or employee for expert or consultant services within one (1) year of the latter's leaving Department office or employment, shall promptly inform the Administrator about the agreement.

BY ORDER OF THE CHIEF OF DEPARTMENT