Text this: icmaethics

TO: 22333
In one or two words, the #1 thing or issue that can derail your day/your job?
#1 Issue that can derail my day/job
Do the Right Thing!

**Presenter**

- Martha Perego, Director, Member Services and Ethics, International City/County Management Association
Ethics Matter!
Advice for Public Managers

ICMA Code of Ethics with Guidelines

The ICMA Code of Ethics was adopted by the ICMA membership in 1924, and most recently revised by the membership in June 2018. The guidelines for the Code were adopted by the ICMA Executive Board in 1972, and most recently revised in June 2018.

The mission of ICMA is to advance professional local government through leadership, management, innovation, and ethics. To further this mission, certain principles are enforced by the rules of procedure, which govern the conduct of every member of ICMA, who shall:

Tenet 1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

GUIDELINES

Advice to Officials of Other Local Governments. When members advise and respond to inquiries from elected or appointed officials of other local governments, they should inform the administrators of those communities.

Tenet 3. Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order that the member may merit the trust and respect of the elected and appointed officials, employees, and the public.

GUIDELINES

Public Confidence. Members should conduct themselves so as to maintain public confidence in their position and profession, the integrity of their local government, and in their responsibility to uphold the public trust.

Influence. Members should conduct their professional and personal affairs in a manner that demonstrates that they cannot be improperly influenced in the performance of their official duties.

Length of Service. For chief administrative/executive officers appointed by a governing body or elected official, a minimum of two years is considered necessary to render a professional service.

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The #1 value that guides my conduct is....
The #1 value that guides my conduct is....
ETHICS IS YOUR GPS

- Values guide ethical conduct and decisions
- Ethical conduct builds trust
- Trust is the key ingredient for your success
WHY ETHICS MATTER??????
A spokesman for Union County, N.J., said last week that County Manager Edward Oatman, who is still a partner in a political consulting firm that was paid to promote candidates in several areas of the county, won't have a conflict of interest as long as he doesn't vote on anything. Freeholder Christopher Hudak said the difference between conflict and disclosure has been "conflated" in discussions of the issue.
“South Fulton, Tennessee, city manager accused of using counterfeit money”
“YOU PAID FOR IT”... ANTI-SEX CAMS FOR FIRE STATIONS
Why Ethics Matter??
#MeToo #ICMA
50% increase in EEOC filed harassment suits

12% increase in new charges filed with the EEOC

$70 million recovered by EEOC through litigation and administrative enforcement of sexual harassment issues in 2018

- Up from $47.5 million the year before
CPC Activity in the Last 10 Years

- 187 ethics cases
- 73 closed without sanction
- 50 public censures
- 67 private censures

Some with membership bar, expulsion, suspension and/or credential revocation
### Who is Covered by the Code?

<table>
<thead>
<tr>
<th>If you work for a local government</th>
<th>If you are Life member, student, professor, consultant, retired</th>
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<tbody>
<tr>
<td>• All 12 Tenets</td>
<td>• Tenet 1 (Democracy)</td>
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<td>• Tenet 3 (Integrity)</td>
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Where Do Members Trip Up?

Illegal Activity:

Breaking the Law

- DUI
- Theft
- Falsifying records
- Assault
- Domestic violence
Inappropriate Relationships or Behavior

- Personal Relationships with Subordinate Employees
- Inappropriate Comments, Behavior toward Employees
- Porn in the Workplace
- Unprofessional Public Comments
Employment Matters

- Short Tenures –
  - Think about the 2 Year Guideline
- Disrespect for Colleague
- Interfering in Other Community’s Matters
- Failing to Keep Appointment Commitment
- Dishonesty in Employment Search
Improper Financial Gain

- Excessive Compensation
- Conflict of Interest
  - Hiring your spouse’s firm
- Misuse of Credit Cards
- Misuse of Public Funds or Property
- Gaming the Benefits System
Lack of Transparency

- Failure to Disclose
  - Investments
  - Relationship Conflicts
- Slanting Reports for Political/Personal Gain
- Falsifying Records
Where Do Members Trip Up?

- Running for Elected Public Office
- Campaigning for a candidate
- Endorsing
- Financial donations
- Comments on Social Media
In the last year, have you used social media to Tweet, Like, or otherwise express your opinion on:

- The President
- The Governor
- Your Mayor/City Council
- An op-ed commenting on politics
- A candidate for U.S. Senate
- A public issue in your city
- A public issue not related to your work
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Serve the best interest of the people
Act with integrity to merit trust
Be competent
Provide policy advice
Refrain from all political activities which undermine public confidence in professional administrators
Right and responsibility to voice your opinion on public issues
You are a senior economic development staff member in Prince Georges County, Maryland.

You live in Arlington County, Virginia.

Arlington County is in the “hunt” to land Amazon. County business occupancy/revenues are down due to government related business relocations/downsizing.

County Officials are publicly discussing incentives to land Amazon.

Based on your technical expertise, you think this is really, really bad public policy. You are OUTRAGED!!
WHICH OF THE FOLLOWING CAN YOU DO WITHOUT VIOLATING THE ICMA CODE OF ETHICS?

- Participate in a public demonstration
- Contribute to a PAC opposing the County’s proposal
- Write an op-ed opposing the incentives
- Attend the County Board meeting to voice your opinion
- Launch a social media campaign
- Call the County Board Chair
- Call the County Manager
- None of the above
- Some of the above
You can do this without violating the ICMA Code of Ethics

- Participate in a public demonstration
- Contribute to a PAC opposing the County proposal
- Write an Op-ED
- Attend the County Board meeting to voice your opinion
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Balancing Competing Values
1. IN A POLARIZED DEMOCRACY

2. IN ADVANCING GOOD PUBLIC POLICY
Tenet 5. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.
GO/NO GO ??

- Am I taking some official action, directing an employee, or using a city resource to do anything that involves my spouse, child, parent, friend, or sibling?
- Do I have a personal connection to a work issue?
- Will I gain from an official decision?
SAFEGUARDS

- Review the ICMA Code of Ethics
- Implement, Enforce and Follow Proper Policies, Procedures and Checks
- Don’t Break the Law
- Report ethical issues to ICMA
ICMA’s Enforcement Process

• Confidential

• Highly structured process
  • Presumption of innocence
  • Member input
  • No room for alternative facts

• Balance fast vs. fair
  • Allegations of illegal conduct produce delays

• Retain Jurisdiction
  • If membership lapses during the review process
ICMA Resources

- Confidential advice
  - Talking about an ethics mistake doesn’t trigger a review
  - In an ethics hole?
    Strategy to extricate you!
- PM and ICMA’s Blog
- Training
Safeguards for Your Organization

- Train on Ethics
- Investigate Complaints
- Take Necessary Action
- Be Transparent
- Front Page Test
- Use Your Head!
“It was like when you make a move in chess and just as you take your finger off the piece, you see the mistake you've made, and there's this panic because you don't know yet the scale of disaster you've left yourself open to.”

-Kazuo Ishiguro