

CODE OF ETHICS

[Effective Date: May 4, 1999 (Revised: October 1, 2001; Revised: October 1, 2003; Revised: May 1, 2009; Revised: May 11, 2010)]

§ 5311-1. Purpose.

The purpose of this Instruction is to provide for the implementation of a Code of Ethics procedure authorized by the County Manager.

§ 5311-2. Concept.

Code of Ethics: It is the policy of the County to ensure that all employees conduct their employment duties in a manner which is free from any conflicts of interest. Additionally, the standards of conduct as outlined by the Florida Commission on Ethics, and the Collier County Ethics Ordinance as amended, and Florida Statutes, shall be guidelines, and in particular instances, requirements for County employees. Violation of the Code of Ethics may be subject to disciplinary action, up to and including discharge.

- A. No County employee shall disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit.
- B. If an employee of the County is an officer, director, agent, or member of, or owns controlling interest in any corporation, firm, partnership, or other business entity which is subject to the regulation of, or which has substantial business commitments with the County or other political subdivision of the State of Florida, they must file a sworn statement to this effect with the Circuit Court of Collier County and give a copy of the statement to the Division Administrator and the County Manager.
- C. No County employee shall transact any business, during working hours for the County, in his/her official capacity with any business entity of which he/she is an officer, director, agent, or member, or in which he/she owns a controlling interest.
- D. No County employee shall have personal investments in any enterprise, which will create substantial conflict between his/her private interest and the public interest.
- E. No County employee shall purchase any County tax certificate or tax deed. The intent of this rule is to avoid any appearance of a conflict of interest on the part of either the County or the employee.
- F. No employee shall accept, or agree to accept, either directly or indirectly, any favor, gift, loan, fee, service or other item of value, in any form whatsoever, from any organization or individual, if the employee knows or reasonably should know that it is intended to reward or influence the employee in the performance or nonperformance of his or her appointed duties. Violation(s) of this standard shall be considered a very serious breach of the Code of Ethics/Standards of Conduct and it is presumed that the appropriate discipline for violation(s) of this standard shall be discharge, absent compelling mitigating circumstances.
- G. No County employee shall solicit a contribution for another person for a gift to a Supervisor,

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make a donation as a gift to a Supervisor, or accept a gift from an employee he or she supervises.

- H. Nothing in this section shall prohibit voluntary donations or the exchange of gifts of nominal commercial value between or amongst County employees or with public officials on special occasions or established holidays. A special occasion, as contemplated in this section, includes those times when it has been regarded as customary to give a gift, such as a birthday, a wedding, the birth of a child or a grandchild, adoption, a graduation, a promotion, permanent departure from the workplace or community, hospitalization, the loss of a loved one, retirement, or other similar occurrences.
- I. Nor does this section prohibit County employees from participating in fund-raising activities for charitable purposes or the receipt of unsolicited advertising or promotional materials, of nominal commercial value, from an individual or entity that is not currently in a contractual relationship nor likely to be in a contractual relationship with Collier County.
- J. No County employee shall participate in the selection of a vendor or the approval of a contract if that employee has received a gift, directly or indirectly, from someone representing the vendor or a contracting party, including relatives.
- K. Nominal commercial value means anything with a value of less than \$50 in the marketplace.
- L. No County employee shall serve on Board of County Commissioners' Advisory Boards or Committees, to reduce any potential perceptions of conflict of interest by the public.
- M. Employees may not serve in a decision-making capacity for any entity that receives funding (either directly or indirectly) from the Board of County Commissioners, including grant funding. Prior to an entity making a request for funding from the Board of County Commissioners, any employee serving the agency in a decision-making capacity must resign from that position. The Board may, with good cause shown, waive this restriction upon a super majority vote.

§ 5311-3. Currency.

The Human Resources Department is responsible for maintaining the currency of this Instruction.

§ 5311-4. Reference.

Collier County Personnel Ordinance, Ordinance No. 2000-05, as amended: Code of Ethics: It is the policy of the County to ensure that all employees conduct their employment duties in a manner which is free from any conflicts of interest. Additionally, the standards of conduct as outlined by the Florida Commission on Ethics, Chapter 112, *Fla. Stat.*, Part III, and, as may be applicable, County Ordinance No. 04-05, as amended, shall be guidelines for County employees.