



2.01 Ethics

Purpose

To establish the policy pertaining to the code of ethics for the Big Bear Area Regional Wastewater Agency (Agency) and its employees.

Policy

It is the policy of the Agency to carry out its mission in accordance with the strictest ethical guidelines and to ensure that employees conduct themselves in a manner that fosters public confidence in the integrity of the Agency, its processes, and its accomplishments.

Organizational Code of Conduct

Code of Conduct

The Agency and its employees must, at all times, comply with all applicable laws, rules and regulations pertaining to the operation of the Agency. The Agency will not condone the activities of employees who achieve results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates, and bribery. The Agency does not permit any activity that fails to stand the closest possible public scrutiny.

All business conduct should meet or exceed the minimum standards required by law. Accordingly, employees must ensure that their actions cannot be interpreted as being, in any way, in contravention of the laws and regulations governing Agency operations.

Employees uncertain about the application or interpretation of any legal requirements should refer the matter to their supervisor, who, if necessary, should seek the advice of Human Resources, and/or the General Manager.

Standards of Conduct

The Agency expects its employees to conduct themselves in a businesslike manner. The following conduct is encouraged.

- Use respectful, courteous, and helpful language when communicating with supervisors, co-workers, and the general public.
- Practice civility when interacting with supervisors, co-workers, and the general public.
- Ensure your words and actions embody respect for truth, honesty, fairness, and free inquiry, treating all with equality and dignity.
- Behave with honesty and integrity in all employment actions.
- Perform assigned tasks safely, competently, and comply with all Agency policies and procedures.
- Cooperate and collaborate with supervisors and co-workers in performing assignments.
- Disclose possible conflicts of interest.
- Ensure and protect the confidentiality of sensitive information.
- Arrive on time fully prepared to work.



- Notify your supervisor of any unscheduled absence in accordance with notification procedures.
- Strive to increase professional and personal skills for improved service to the Agency, encourage and actively participate in career development for yourselves and others, and share freely your knowledge and experience with others as appropriate.

The following conduct is prohibited by the Agency. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare, work efficiency, and Agency operations may also be prohibited:

- falsifying employment records, employment information, or other Agency records;
- recording the work time of another employee or allowing another employee to record your work time, or falsifying any timecard, either your own or other employees;
- theft and deliberate or careless damage or destruction of any Agency property, or the property of any employee or customer;
- removing or borrowing Agency property without prior authorization;
- unauthorized use of Agency equipment, time, materials, or facilities;
- threatening violence or destruction of Agency property;
- participating in horseplay or practical jokes on Agency time or Agency premises;
- carrying firearms or any other dangerous weapons on Agency premises at any time;
- engaging in criminal conduct whether or not related to job performance;
- insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management or the use of abusive or threatening language toward a supervisor or member of management;
- using abusive language at any time while on Agency premises;
- spreading false or malicious rumors about Agency employees or Agency business;
- failing to notify a supervisor when unable to report to work;
- unreported absence of three (3) consecutive scheduled workdays;
- failing to obtain permission to leave work for any reason during normal working hours;
- failure to observe working schedules, including rest and lunch periods;
- failing to provide a physician's certificate when requested or required to do so;
- sleeping or malingering on the job;
- working overtime without authorization or refusing to work assigned overtime;
- violating any safety, health, security, or Agency policy, rule, or procedure;
- committing a fraudulent act or a breach of trust under any circumstances;



- committing or involvement in any act of unlawful harassment or discrimination of another individual;
- engaging in disrespectful, unprofessional, or abusive treatment of others in connection with the performance of work duties; or
- failing to abide by any policies adopted by the Agency.

Off-Duty Conduct

While the Agency does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Agency's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the Agency's or their own integrity, reputation, or credibility. Illegal off-duty conduct by an employee that adversely affects the Agency and/or affects the employee's ability to perform his or her job is prohibited.

Conducting Personal Business

Employees are to only conduct Agency business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

Conflicts of Interest

All employees must avoid situations involving an actual or potential conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of the Agency, which impairs an employee's ability to exercise good judgment on behalf of the Agency, creates an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, Human Resources, or the General Manager, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is determined, the Agency may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

Employees must not use their position, or the knowledge gained as a result of their position, for private or personal advantage. Regardless of the circumstances, if employees' sense that a course of action they have pursued, are presently pursuing, or are contemplating pursuing may involve them in a conflict of interest with their employer, they should immediately communicate all the facts to their supervisor.

Outside Activities, Employment, and Directorships

All employees share a serious responsibility for the Agency's good public relations, especially at the community level. Their readiness to help with charitable, educational, and civic activities brings credit to the Agency and is encouraged. Employees must, however, avoid acquiring any business interest or participating in any other activity outside the Agency that would, or would appear to:

- create an excessive demand upon their time and attention, thus depriving the Agency of their best efforts on the job; or



- create a conflict of interest, obligation, interest, or distraction that may interfere with the independent exercise of judgment in the Agency's best interest.

Relationships with Clients and Suppliers

Employees should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with the Agency, or that provides goods or services, or both to the Agency if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties on behalf of the Agency.

Gifts, Entertainment, and Favors

Employees must not accept entertainment, gifts, or personal favors that could, in any way, influence, or appear to influence, business decisions in favor of any person with whom or with which the Agency has or is likely to have a relationship with. Similarly, employees must not accept any other preferential treatment under these circumstances because their position with the Agency might be inclined to, or be perceived to, place them under obligation.

Kickbacks and Secret Commissions

Regarding the Agency's business activities, employees may not receive payment or compensation of any kind, except as authorized under the Agency's remuneration policies. In particular, the Agency strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule will result in immediate termination and prosecution to the fullest extent of the law.

Funds and Other Assets

Employees who have access to Agency funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in the Agency's instructional manuals or other explanatory materials, or both. The Agency imposes strict standards to prevent fraud and dishonesty. If an employee becomes aware of any evidence of fraud and dishonesty, they shall immediately advise their supervisor, Human Resources, and/or the General Manager, so the Agency can promptly investigate further.

When an employee's position requires spending Agency funds or incurring any reimbursable personal expenses, that individual must use good judgment on the Agency's behalf to ensure that good value is received for every expenditure. Agency funds and all other assets of the Agency are for Agency purposes only and not for personal benefit.

Records and Communications

Accurate and reliable records of many kinds are necessary to meet the Agency's legal and financial obligations and to manage the affairs of the Agency. The Agency's books and records must reflect, in an accurate and timely manner, all business transactions. The employees responsible for accounting and recordkeeping must fully disclose and record all assets, liabilities, or both, and must exercise diligence in enforcing these requirements.

Employees must not make or engage in any false record or communication of any kind, whether internal or external, including but not limited to:

- false expense, attendance, production, financial, or similar reports and statements; or
- false advertising, deceptive marketing practices, or other misleading representations.



Dealing with Outside People

Employees must take care to separate their personal roles from their Agency positions when communicating on matters not involving Agency business. Employees must not use Agency identification, stationery, supplies, and equipment for personal or political matters.

When communicating publicly on matters that involve Agency business, employees must not presume to speak for the Agency on any topic, unless they are certain that the views they express are those of the Agency and it is Agency's desire that such views be publicly disseminated.

When dealing with anyone outside the Agency, including public officials, employees must take care not to compromise the integrity or damage the reputation of either the Agency, or any outside individual, business, or government body.

Prompt Communications

In all matters relevant to customers, suppliers, government authorities, the public, and others in the Agency, all employees must make every effort to achieve complete, accurate, and timely communications. Employees should respond promptly and courteously to all proper requests for information and all complaints.

Privacy and Confidentiality

Each employee is responsible for safeguarding the confidential information obtained during employment. Employees may have access to confidential information regarding the Agency, its suppliers, or co-workers. Employees have a responsibility to prevent revealing or divulging any such information unless it is necessary for an employee to do so in the performance of duties. Access to confidential information should be on a "need-to-know" basis and must be authorized by an employees' supervisor. Any breach of this policy will not be tolerated, and appropriate action will be taken by the Agency.

When handling financial and personal information about customers or others with whom the Agency has dealings, observe the following principles:

1. Collect, use, and retain only the personal information necessary for the Agency's business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
2. Retain information only for as long as necessary or as required by law. Protect the physical security of this information.
3. Limit internal access to personal information to those with a legitimate business reason for seeking that information. Only use personal information for the purposes for which it was originally obtained. Obtain the consent of the person concerned before externally disclosing any personal information unless legal process or contractual obligation provides otherwise.

Falsification of Records

The Agency strictly and expressly prohibits the falsification of employment applications, personnel records, timekeeping records, injury reports, or any other reports, documents or records pertaining to Agency employment, operations, or compliance with any applicable laws. Any employee found to have engaged in this form of misconduct shall be subject to immediate termination and possible prosecution.



Investigations

As conditions warrant, it may be necessary for the Agency to conduct an investigation into an alleged or suspected form of misconduct by an employee or other person. In these cases, employees should understand that the Agency has a legal obligation to conduct, or have conducted, such investigations to ensure that the workplace remains efficient, safe, honest, respectful, ethical, legally compliant, and professional at all times. Therefore, the Agency has made the reporting of any suspected inappropriate act by any person, and cooperation with any resulting investigation, is an expectation of employment.

An employee who has information concerning an act of misconduct, or believes that such an act may have occurred, is required to report all known information about the incident to their supervisor, Human Resources, and/or the General Manager promptly. Under most circumstances, those affected will be informed when the matter is resolved. The exact details will be maintained confidential to the extent possible.

Whistleblower Provision

The Agency will not retaliate against any employee who reports to their immediate supervisor, Human Resources, and/or General Manager, or any other government or law enforcement agency, a potential violation of the federal or state laws, rules and regulations based on a reasonable belief that such violation has occurred. In addition, the Agency will not retaliate against an employee for refusing to participate in an activity that would result in a violation of federal or state laws, rules and regulations. The Agency will not take any adverse actions against an employee for exercising these rights relating to another employer. The Agency also will not knowingly permit this form of retaliation by management employees or co-workers.

Employees who believe they have been subject to any form of retaliation based on exercising their rights as a whistleblower should promptly report the conduct to their supervisor, Human Resources, or to any other member of management who will take action consistent with the Agency’s Personnel Policies and Procedures Manual Section 12: Policy Against Employee Discrimination and Harassment. Employees may be subject to discipline, up to and including termination, for making accusations of improper conduct or retaliation, which they do not reasonably believe to be true.

Reference:	Board Adoption Date:
Policy Revision: 2008, 2012, 2013, 2015, 2021	Is Board Approval/Adoption Required? No
	Reason for Revision: Update policy