

Board of Lucas County Commissioners



TITLE: Code of Ethical Conduct Policy

POLICY NUMBER: 51

RESOLUTION NUMBER: 2023-354

SUPERSEDES POLICY:

EFFECTIVE DATE: April 11, 2023

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I. SCOPE

This policy applies to all employees under the appointing authority and jurisdiction of the Board of Lucas County Commissioners, subject, where applicable, to collective bargaining agreements.

II. PURPOSE

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

The Board of Lucas County Commissioners reserves the right at its sole discretion to modify, suspend or terminate this policy at any time with or without notice, subject to collective bargaining where applicable. This policy is not an employment contract, expressed or implied. No representative of the Board of Lucas County Commissioners, unless given express permission by the Board of Lucas County Commissioners, has the authority to enter into an agreement with an employee that is contrary to this policy. Any agreement made with the express permission of the Board of Commissioners which is contrary to this policy must be in writing to be valid.

III. POLICY

Board of Lucas County Commissioners employees must, at all times, abide by protections to the public embodied in Ohio's ethics laws as found in Chapters 102 ([Public Officers – Ethics](#)) and 2921 ([Offenses Against Justice and Public Administration](#)) of the Ohio Revised Code and as interpreted by the Ohio Ethics Commission and Ohio courts. A copy of these laws is provided to all new employees by Human Resources, and receipt acknowledged, as required by Chapter [102.09\(D\)](#) of the Ohio Revised Code. Officials and employees must conduct themselves in a manner that avoids favoritism, bias, and the appearance of a conflict of interest or other improper behavior.

A general summary of the restraints upon the conduct of all officials and employees includes, but is not limited to, those listed below. No official or employee shall:

- Solicit or accept anything of value from anyone doing business, or seeking to do business with, regulated by, or interested in matters before the Board of Lucas County Commissioners;
- Solicit or accept secondary employment from anyone doing business with the Board of Lucas County Commissioners, unless the official or employee completely withdraws from Board of Lucas County Commissioners activity regarding the party offering employment, and the Board of Lucas County Commissioners approves the withdrawal;
- Use their public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;

- Be paid or accept any form of compensation for personal services rendered on a matter before any board, commission, or other body of the Board of Lucas County Commissioners, unless the official or employee qualifies for the exception, and files the statement, described in Ohio Revised Code [102.04\(D\)](#);
- Hold or benefit from a contract with, authorized by, or approved by, the Board, except where permitted by Ohio Revised Code [2921.42](#);
- Vote, authorize, recommend, or in any other way use their position to secure approval of a Board of Lucas County Commissioners contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- Solicit or accept honoraria as specified in Ohio Revised Code [102.01\(H\)](#) and [102.03\(H\)](#);
- During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving the Board of Lucas County Commissioners;
- Use or disclose confidential information protected by law, unless appropriately authorized; or
- Use, or authorize the use of, their title, the name "Lucas County," or Lucas County's logo in a manner that suggests impropriety, favoritism, or bias by the Board of Lucas County Commissioners or the official or employee.

IV. DEFINITIONS

Terms from the Ohio Revised Code that are used in this policy:

- (A) *Compensation* means money, thing of value, or financial benefit. "Compensation" does not include reimbursement for actual and necessary expenses incurred in the performance of official duties.
- (B) *Public official or employee* means any person who is elected or appointed to an office or is an employee of any public agency. "*Public official or employee*" does not include a person elected or appointed to the office of precinct, ward, or district committee member under section [3517.03](#) of the Ohio Revised Code, any presidential elector, or any delegate to a national convention. "*Public official or employee*" does not include a person who is a teacher, instructor, professor, or other kind of educator whose position does not involve the performance of, or authority to perform, administrative or supervisory functions.
- (C) *Public agency* means:
 - a. The general assembly, all courts, any department, division, institution, board, commission, authority, bureau or other instrumentality of the state, a county, city, village, or township, the five state retirement systems, or any other governmental entity.
 - b. Notwithstanding any contrary provision of division (C)(a)(i) of this section, "*Public agency*" includes a regional council of governments established under Chapter [167](#) of the Ohio Revised Code.
 - c. *Public agency* does not include either of the following:
 - i. A department, division, institution, board, commission, authority, or other instrumentality of the state or a county, municipal corporation, township,

or other governmental entity that functions exclusively for cultural, educational, historical, humanitarian, advisory, or research purposes; that does not expend more than ten thousand dollars per calendar year, excluding salaries and wages of employees; and whose members are uncompensated;

- ii. A nonprofit corporation formed under section [187.01](#) of the Ohio Revised Code.

(D) *Family member*, for the purposes of Ohio Ethics Law, includes the following regardless of where they live:

- Spouse;
- Children or Step-Children (whether dependent or not);
- Siblings;
- Parents or Step-Parents;
- Grandparents; and
- Grandchildren.

Family member also includes any other person related by blood or by marriage (e.g. cousins, aunts, uncles, in-laws, nieces, nephews) if that person resides in the same household as the public official or public employee.

(E) *Anything of value* includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. *Value* means worth greater than de minimis or nominal.

(F) *Anyone doing business with the Board of Lucas County Commissioners* includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, is regulated by, or has interests before the Board of Lucas County Commissioners.

(G) *Honorarium* means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. "Honorarium" does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, other than a legislative agent, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the public official or employee conducting that business was elected or appointed to the public official's or employee's office or position of employment.

V. REPORTING AND INVESTIGATION PROCEDURE

While the Board of Lucas County Commissioners expects individuals, who believe they are witness to improper conduct, to firmly and promptly notify their direct supervisor or manager, or the agency or departmental Director, the Board of Lucas County Commissioners also recognizes that such a confrontation may be uncomfortable or even impossible. If such informal, direct communication between individuals cannot be accomplished for any reason, or is ineffective or inappropriate given the circumstances or severity of the situation, the following steps should be taken to file an improper conduct complaint:

- Individuals who believe they have witnessed improper conduct should immediately report the incident to their direct supervisor
- If the supervisor is suspected of the alleged improper conduct, or the employee is uncomfortable reporting the alleged improper conduct to the supervisor, the incident should be reported directly to the Department of Human Resources

Complaints should be filed as soon as possible following the incident. Investigation of complaints will be conducted promptly with a thorough and impartial inquiry. If requested, individuals who file internal complaints will be notified about the status of their complaint, the results of the investigation, and any corrective or preventative action taken. It is important to provide as much detail regarding the alleged discrimination as possible (names, dates, times, etc.) for the complaint to be addressed efficiently and effectively. A form for gathering and submitting the proper information is available through the Department of Human Resources.

Reports may also be filed directly to the Ohio Ethics Commission by contacting a Special Investigator at (614) 466-7090 or with the Ohio Auditor of State [online](#), by phone at (866) - FRAUD-OH (371-8364), or by mail to Ohio Auditor of State, 88 E. Broad Street, PO #1140, Columbus, OH 43215.

VI. CONFIDENTIALITY

Any allegation of improper conduct will be promptly investigated by the appropriate Agency or Department. Confidentiality will be maintained, although cannot be guaranteed, throughout the investigatory process to the extent practical and with appropriate information being shared with those on a need-to-know basis and subject to disclosure under federal, state, and local public records laws including but not limited to the Ohio Public Records Act.

Information regarding the complaint or investigation will be maintained in secure, confidential files within the Department of Human Resources in accordance with federal and state laws.

VII. FALSE INFORMATION

No employee will be punished for reporting acts of improper conduct, participating in an improper conduct investigation, or actively opposing improper conduct. However, employees knowingly providing false statements or information will be subject to disciplinary measures and remedial action up to and including discharge as provided herein.

VIII. DISCIPLINARY ACTION AND REMEDIAL MEASURES

Behavior contrary to this policy will not be tolerated. Individuals found to have violated this policy shall be subject to discipline up to and including termination depending on the circumstances of the case.

The Board of Lucas County Commissioners shall take action that is practicable and available by law against a non-employee or elected official found to have engaged in behavior contrary to Ohio's public employee ethics laws.

DocuSigned by:

Jessica Ford

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Signature of County Administrator

4/12/2023

Date