



CITY OF DUBLIN

ADMINISTRATIVE ORDERS

OF THE CITY MANAGER

ADMINISTRATIVE ORDER 1.8

TO: City of Dublin Employees

FROM: Megan D. O'Callaghan, City Manager

SUBJECT: Ethics Policy

DATE: January 1, 2026

Supersedes and replaces Administrative Order 1.8, dated April 30, 2019, regarding the same subject.

PROPOSER: Director of Human Resources

1. PURPOSE

The purpose of this Administrative Order is to establish a City Ethics Policy that provides guidance to public officials and employees regarding the ethical standards they must uphold as public servants. All public officials and employees of the City of Dublin are advised that the State of Ohio has an ethics law (Chapter 102 of the Ohio Revised Code), which establishes standards of conduct and behavior for public officials and employees at all levels of government. Certain provisions of the Ohio Ethics Law are incorporated in this Administrative Order. Public officials and employees are expected to fully comply with all provisions of the law and in this Administrative Order and, therefore, should familiarize themselves with this Administrative Order immediately upon employment with the City of Dublin. Questions regarding this Administrative Order should be directed to the City Manager or the Director of Human Resources.

2. SCOPE

Ethics training is mandatory every 24 months for all City of Dublin employees. Training participation will be tracked by the Human Resource Talent Development and Training Manager.

3. GENERAL ETHICS LAW PROHIBITIONS

Among other things, the Ohio Ethics Law contains provisions restricting conflicts of interest that involve nepotism, post-employment representation, influence peddling, confidentiality, and supplemental compensation. Among other restrictions, the law provides that each public official and employee is prohibited from:

- a. Authorizing, or using their position to secure authorization of a contract, for himself/herself, a family member, or a business associate;

- b. Authorizing, or using their position to secure the authorization of the investment of public funds in any kind of security to benefit himself/herself, a family member, or a business associate;
- c. Receiving any benefit from a contract entered into by their public entity;
- d. Hiring or securing any contract benefits for their spouse, parents, grandparents, children, grandchildren, or siblings, or any other relatives living with him/her;
- e. Soliciting or accepting substantial and improper things of value, including gifts, travel expenses, meals, and lodging;
- f. Participating in matters where something of value will result for the public official or employee themselves, their family, their business associates, or others with whom the public servant has a close tie that could impair their objectivity;
- g. Disclosing or using information deemed confidential by law;
- h. Representing parties before any public agency in a matter in which they were involved as a public servant, both during and for one year after leaving public service.

4. CITY OF DUBLIN ETHICS POLICY

It is the Policy of the City of Dublin that all public officials and employees shall comply with all provisions of the Ohio Ethics law, as incorporated within this Administrative Order, as well as all other related ethics provisions established by the City of Dublin or the state of Ohio. These provisions include the following:

a. Misuse of Official Position

City employees may not use or authorize the use of their official position to benefit themselves or others in circumstances that create a conflict of interest. City employees also are prohibited from using their positions to benefit others, such as business associates and family members. As public servants, City employees must avoid situations in which they might gain personally as a result of the decisions they make or influence. The Ethics Law provisions prohibit a public official from soliciting or accepting gifts, travel expenses, consulting fees, or any other thing of substantial value from a party that is interested in, regulated by, or doing or seeking to do business with their public agency. Similarly, a private citizen may not promise or give things of value to a public official or employee under circumstances that create a conflict of interest.

b. The "Revolving Door" Restriction

A present or former City employee is prohibited from representing a private client before any public agency including their former employer (City of Dublin), on any matter in which they personally participated in their official capacity. The restriction prohibits a former public servant from improperly using insider knowledge or exerting influence with their former co-workers on a matter in which they personally participated while in public service. Since this influence could be used to benefit their client, the "revolving door" provision prohibits the former public servant from performing this type of representation. This prohibition remains in effect for one year following departure from public service.

c. Sale of Goods and Services to and Representation of Clients Before Public Agencies

City employees are prohibited from receiving compensation, other than from the City of Dublin, for services rendered in any matter before an agency of the governmental entity with which they serve. City employees may be exempt from prohibitions if:

1. The employee conducts business with a public agency other than the City of Dublin.
2. Prior to conducting business, the employee files an affidavit with the City of Dublin, the agency with which they plans to deal, and the appropriate ethics agency. The affidavit must contain:
 - (a) The names of the public or private agencies involved and a brief description of the business to be conducted.
 - (b) The employee's declaration that they will not participate by virtue of their public position for a period of two (2) years in any matter involving the personnel of the agency with which they are conducting business.

d. Confidential Information

The Ethics Law prohibits City employees from disclosing or using any information officially designated as confidential. This is effective until the time that the information is declared to no longer be confidential.

e. License or Rate-Making Proceedings

City employees are restricted from participating in license or rate-making proceedings in which they have a personal interest. Specifically, a City employee is restricted from participating in license or rate-making proceedings that would affect the licenses or

rates of any business if they or members of their immediate family own more than five percent of that business. A City employee is also prohibited from participating in license or rate-making proceedings that affect any person to whom the employee, their immediate family, or any business of which they or their family members have sold more than \$1,000 worth of goods or services.

f. Interest in a Public Contract

City employees are prohibited from having a personal interest in a public contract. Specifically, an employee is prohibited from authorizing, or otherwise using the authority or influence of their office, to secure approval of a public contract or the investment of public funds in which the employee, a family member, or a business associate has an interest. A public contract includes any purchase or acquisition of goods or services, including employment, by or for the use of a public agency.

1. The City employee does not have "interest" if all of the following apply:

- (a) They do not participate in the operation of the business and are simply a stockholder or a creditor of the business;
- (b) Their investment is less than five percent; and,
- (c) They inform the City of their intentions by filing an affidavit with the City prior to entering into the contract.

2. The prohibitions do not apply if all of the following conditions are met:

- (a) The employee takes no part in the deliberations and decisions on the transactions.
- (b) The employee informs their public agency of their interest.
- (c) The contract involves necessary supplies or services which are not obtainable elsewhere at the same or lower cost or which are part of a previously established course of dealing; and,
- (d) They are accorded treatment at least equal to that accorded other clients involved in similar transactions.

g. Soliciting or Receiving Improper Compensation

1. A City employee is prohibited from receiving additional compensation to perform their official duties from any source other than the agency for which said employee works. In addition, a public servant is prohibited from soliciting or accepting anything of value, or coercing a campaign contribution, in exchange for an appointment

to a public position, or any other kind of personnel action, such as a promotion or transfer.

2. The Ohio Ethics Commission has issued several opinions dealing with public employees/officials obtaining "anything of value." The Commission has held that public employees and officials are prohibited from accepting a gift that would manifest a substantial and improper influence upon the employee/official with respect to his or her duties.

3. The Ohio Ethics Commission has held that the following items are de minimis in nature and not substantial, so a public employee can accept the following items:

- Tee shirt
- Pens
- A single meal

The Ohio Ethics Commission has held that the following items are not de minimis in nature, so a public employee cannot accept the following items:

- Golf outings
- Travel and lodging expenses
- Tickets to professional sporting events

These lists are for illustrative purposes only and are not exhaustive.

4. City of Dublin employees cannot accept the above type of non de minimus items. Some items are obviously substantial in value and, therefore, must not be accepted; the value of others, however, may be questionable. It is the policy of the City of Dublin that employees should not accept anything beyond what would obviously be considered to be of little value, for example, tee shirts, pens, and other such "trinkets," or a single meal of little value. (Caution and judgment must be exercised on meals – meals at some restaurants would obviously be of insignificant value, meals at other restaurants could be of considerable value. Further, meals can have a cumulative effect even if of insignificant value on an individual basis.)

5. Holiday gifts, beyond what would obviously be de minimus, should either be politely declined or returned, or donated to a charitable organization or senior center in the community. If such items are donated to such an organization, a letter should be sent to the giver acknowledging their generosity and notifying them that their gift has been donated to a particular organization. Food items of a de minimus value (e.g. cookies, cakes, pies, fruit, candy) should be put out in public areas of City facilities for consumption by employees and the public alike.

6. Gifts and gift certificates donated by outside sources as awards or door prizes for employee programs (e.g. snow plow "rodeo", benefits fairs, wellness events, etc.),

up to \$50.00 in value, are acceptable; however, the solicitation and receipt of such gifts must be documented in writing through the exchange of correspondence between the City and the outside organization. This documentation must be kept on file at the

Divisional level in the event that questions arise regarding the solicitation and acceptance of such gifts.

7. As a general "rule of thumb", City of Dublin employees should, at all times, be aware of the perception that their actions may create and should, therefore, avoid the appearance of impropriety.

i. Relationships In The Workplace

1. Qualified relatives of current City employees may be employed by the City, subject to the following restrictions/conditions: (These restrictions/conditions shall be applicable to all cases involving new hires, transfers, promotions, and where two employees of the City marry.)

(a) A City employee may not hire a relative, nor participate in any manner (directly or indirectly) in the hiring process when their relative is an applicant. (Hiring process means any activities related to recruitment, advertising, application submission, testing, screening, interviewing, selection, reference checks, recommendations, criminal record checks, drug testing, wage/salary negotiations, conveying an employment offer, or other such activity.)

(b) A City employee may not participate in any manner (directly or indirectly) in any matter pertaining to the individual terms and conditions of their relative's employment. (This includes matters of discipline, wages/salary, performance appraisals, benefits, or other such matters.)

(c) A City employee may not supervise or be supervised (directly or indirectly) by a relative. (This includes matters of work scheduling, work assignments, leave approval, timesheet approval, discipline, performance appraisal, wage/salary increases, benefits determination, or other such matters.) (Supervision means possessing or being subjected to oversight or authority, whether direct or indirect, over or from another employee.)

(d) A City employee may not be in a position which is entrusted with the responsibility for auditing, verifying, or receiving funds handled by another employee who is a relative.

(e) A City employee may not work in a position which handles confidential matters involving an employee who is a relative, including central payroll and personnel records.

(f) The term "relative" means a spouse, child, parent, brother, sister, or grandparent, or any individual who has acquired such a relationship through marriage, including step and half relationships; or any other person related by blood or marriage and residing in the same household.

(g) Supervisors and managers may, under extraordinary emergency circumstances, and while acting under the authority of their position, direct the actions of a relative to conduct lawful and necessary activities related only to the extraordinary situation. For example, an employee may be an incident commander at an emergency operation, called upon to direct the actions of their relative who is an employee in another division.

(h) Supervisors and managers may recommend approval of a financial appropriation for a Department or Division which employs a relative, unless the relative receives a personal benefit; recommend approval of a master labor agreement that affects a relative, unless the relative is an officer, board member, or a member of the negotiating team; or recommend approval of an ordinance or resolution determining the compensation of non-union employees that includes a relative, unless the relative is differentially affected.

(i) To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are encouraged to avoid romantic relationships with each other while both are employed with the City of Dublin. In the event a supervisor/subordinate relationship develops, the one who is the supervisor is required to tell Human Resources about the relationship. The City will attempt to find a suitable solution. However, if the City is unable to accommodate the situation, one of the affected employees may be re-assigned or required to terminate their employment.

(j) There may also be situations when there is a conflict or the potential for conflict because of a relationship between employees, even if there is no direct reporting relationship or authority involved. In these cases, the City may separate the employees by reassigning or termination of employment. Employees in close, personal relationships with other Dublin employees are encouraged to avoid displays of affection or excessive personal conversation, while at work, to avoid disruption of work activities.

(k) When a situation that runs contrary to the above restrictions/conditions arises through promotion, transfer or marriage, the affected individuals shall have ninety (90) calendar days in which to resolve the issue by one of them transferring (where possible) or terminating employment. The City of Dublin will act in good faith to find the displaced employee a suitable position in the City. The City of Dublin reserves the right to make the decision regarding transfer or termination of one of the two affected individuals, if such individuals do not voluntarily make such decision within the 90 calendar days.

(I) In the event that a situation contrary to the above restrictions/conditions currently exists in the City, the Director of Human Resources shall consult with the affected individuals to find ways to correct the situation by transferring employees, limiting employee access to information or placing other restrictions on employee job duties as deemed appropriate in the sole discretion of the City of Dublin to avoid termination of the employees involved.

5. SUMMARIES OF RELEVANT OHIO ETHICS COMMISSION ADVISORY OPINIONS

a. Opinion 2001-03 – Concluded that public officials/employees are prohibited from soliciting or accepting rounds of golf from persons who are regulated by, interested in matters before, or doing or seeking to do business with a public agency. Likewise, an interested person is prohibited from offering or giving rounds of golf to public officials.

b. Opinion 2001-04 – Concluded that public officials/employees are prohibited from soliciting or accepting travel, meals, entertainment or gifts offered by an interested person. Only meals or gifts of a purely de minimis or nominal nature fall outside this prohibition. For example, promotional items such as tee shirts or pens, or a single meal given to a public employee are considered de minimis. This Advisory Opinion is consistent with prior Advisory Opinions that concluded that professional sporting event tickets, meals and lodging, discounts on furniture and appliances, frequent flyer miles, free transit passes, and free parking passes are prohibited from being offered or given to, solicited or accepted by, all public officials.

c. Opinion 90-001 - Division (F) of Section 102.03 of the Ohio Revised Code and Division (A) of Section 2921.43 of the Ohio Revised Code prohibit a vendor who is doing or seeking to do business with an office, department, or agency of a political subdivision from promising or giving travel, meal, and lodging expenses incurred in inspecting and observing the vendor's product to the officials and employees of the office, department, or agency, even though the expenses are limited to those which are essential to the conduct of official business and are incurred in connection with the official's or employee's duty to inspect and observe the vendor's products in operation at existing facilities; even if the vendor's products and services are sold to the political subdivision pursuant to competitive bidding and the vendor has submitted the lowest and best bid.

6. CONCLUSION

Penalties for violating the Ethics Law range from misdemeanors to felonies, depending on the violation. It is the Administration's intent to provide guidance to City employees in relation to the Ethics Law. A copy of the Law is on file in the office of the City Manager and the Division of Human Resources. If any questions regarding the Ethics Law arise, that employee should contact the Office of the City Manager or the Division of Human Resources for assistance in steering away from a potential ethical violation.