

**CITY OF BOULDER**  
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**POLICIES AND PROCEDURES**

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**CONFLICT OF INTEREST  
(INCLUDES POLITICAL ACTIVITY)**

**EFFECTIVE DATE: 2/7/02**

  
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**RONALD A. SECRIST, CITY MANAGER**

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**I. POLICY**

It is the policy of the City of Boulder to prevent actual or apparent conflict of interest between a City employee's non-work activities and the unbiased performance of his/her public duties.

**II. PURPOSE**

**A. Gratuities/Gifts**

City employees shall not solicit or accept anything of economic value as a gift, gratuity, or favor from any person, firm or corporation if, in the judgement of a reasonable person it could be inferred that the gift was intended to influence them in the performance of their official duties, or if the gift was intended to serve as a reward for any official action on their part.

As part of the customary course of doing business, City employees may accept gratuities in the form of perishable, nonpermanent or promotional items under fifty dollars in value, possibly including meals or tickets to sporting, recreational and educational or cultural events. Unique and infrequent situations may arise for acceptance of gifts/gratuities with a value over fifty dollars, but such must be approved by the employee's supervisor in advance of acceptance. Enforcement personnel are an exception to this paragraph and shall not accept gifts or gratuities in any amount offered to them by potentially regulated parties. Such employees should refer to departmental policies for specific guidance or consult with supervisory staff for prior approval before accepting anything of value.

Generally, City employees may not accept monetary discounts offered by a third party business, corporation or organization because of their status as a City employee. Exceptions include: 1) discounts for items which improve work performance (i.e. purchase price discount for personal computers or health/wellness related activities/products) and 2) discounts available to other large employers, which may be offered by the City to all employees upon approval of the City Manager or Director of Human Resources and Organizational Effectiveness for advice.

#### B. Honoraria

Employees may receive honoraria (of value of less than \$100) or actual expenses paid for papers, talks, demonstrations, or appearances made during paid work hours with approval of the employee's Department Head.

#### C. Business Transactions

City employees may not have an interest in any business transaction within their area of influence in City government. They may not have any private business relationship or ownership of property that creates an actual or apparent conflict with their public duties. If a conflict should develop, the employee must disqualify himself/herself from making any decisions involving such business transaction or relationship.

#### D. Consulting/Contracting

City employees shall not provide consulting or contracting services to any person or organization with which they have or may have professional contact or a business relationship in the course of their employment with the City. Employees who wish to provide contract or consultant services in the same field as their employment with the City must receive written approval in advance from the Director of Human of Resources and Organizational Effectiveness or the City Manager.

If, after approval, a conflict should develop, the employee must disqualify him/herself from performing any services related to that conflict and may be required to sever the contracting/consulting relationship. Any such conflict must be reported immediately to the Director of Human of Resources and Organizational Effectiveness or the City Manager. Any employee who resigns his/her position with the City cannot be re-employed as a contractor or consultant within one year without written approval from the City Manager.

#### E. Information

No City employee shall take advantage of any information which she/he learns on the job in furtherance of a private interest or for the benefit of another when such information has not been made available to the public generally. No City employee shall engage in any business or professional activity which might require him/her to disclose or act upon information acquired by virtue of City employment.

#### F. Political Activity

1. Employees of the City shall not continue in their positions after being elected to the Boulder City Council<sup>1</sup>. Employees shall be permitted to take a leave of absence without pay for a maximum of ninety-one days after becoming a candidate for election to the City Council. Should an employee choose to become a candidate more than ninety-one days prior to an election, she/he shall resign his/her position.

In addition, Management employees of the Police Department shall avoid any mention or attribution of their City office in supporting or opposing any candidate for the position of Sheriff or District Attorney.

2. Individually or together with other City employees, employees may not identify their position or title or use their uniform while campaigning for or in support of any candidate for any public office, or knowingly permit themselves to be so used.

#### G. Outside Employment

1. Outside employment will be permitted as long as it does not interfere with, or present a conflict of interest with, the employee's City employment. The hours of outside employment must not overlap those of City employment or impair attendance or efficiency as a City employee.
2. Employees, except for seasonal employees, shall obtain approval from their department head prior to the start of all outside employment. Failure to do so may result in disciplinary action.

### **III. DISCIPLINARY ACTION**

Disciplinary action may be imposed on any employee who knows or should have known that she/he was in violation of this policy.

### **IV. CONSTRUCTION AND INTERPRETATION**

Employees who have questions concerning possible conflict between their interests and those of the City, or the interpretation and application of any of these rules, are to inquire of their department head. The department head may refer the matter to the Director of Human Resources and Organizational Effectiveness for advice, or to the City Manager for final resolution.

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<sup>1</sup> Section 28 of the Charter of the City of Boulder, Colorado requires that a petition of nomination shall be completed and filed with the office of the City Clerk not earlier than ninety-one nor later than seventy-one days before election.

**V. EXCEPTIONS/CHANGE**

This policy supersedes all previous policies covering the same or similar topics. Any exception to this policy may be granted only by the Director of Human Resources and Organizational Effectiveness or the City Manager. This policy may be reviewed and changed at any time.

## **REQUEST FOR APPROVAL OF CONSULTING/CONTRACTING**

According to the City of Boulder's Conflict of Interest policy, all employees who wish to provide consulting or contracting services in the same field as their position with the city must receive written approval in advance.

Please complete this form and route it to your department for approval before submitting to the Human Resources Director for review. (You may use a separate sheet if desired.)

- I. Please describe your current position and duties (or attach a copy of your current job description).
  
  
  
  
  
  
  
  
  
  
- II. Please describe the outside position, duties, and employer (or attach a copy of the job description).
  
  
  
  
  
  
  
  
  
  
- III. What hours will you work at the outside position?
  
  
  
  
  
  
  
  
  
  
- IV. For what duration of time are you seeking approval?

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If approved, approval will carry the following conditions:

- No city resources, time or equipment may be used for your outside employment.
- Outside employment can not occur during your regularly scheduled work hours. In no event, may the time spent in your outside work overlap your hours of city employment.
- The outside employment may not interfere in any way with your ability to perform your city duties including attendance and efficiency.
- The outside employment may not present an actual or apparent conflict of interest.
- You must adhere to all City of Boulder policies and procedures.

Violation of the terms of this approval will result in the approval to consult/contract being revoked. Discipline up to and including termination can also result.

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Name of employee (please print)	Signature of Employee	Date
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Name of Department Head (please print)	Signature of Department Head	Date
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**FOR HR USE ONLY**

Select one: \_\_\_ approved \_\_\_ not approved

*Instructions: file a copy in the employee's personnel file.*

## **REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT**

According to the City of Boulder's Conflict of Interest policy, all employees, except for seasonal employees, who wish to engage in outside employment must receive approval from their department head or department head designee prior to the start of all outside employment.

Please complete this form and obtain the necessary signatures for approval before submitting to the Human Resources Department to place in your personnel file. (You may use a separate sheet if desired.)

- I. Please describe your current position and duties (or attach a copy of your current job description).
  
- II. Please describe the outside position, duties, and employer (or attach a copy of the job description).
  
- III. What hours will you work at the outside position?
  
- IV. For what duration of time are you seeking approval?

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I understand if approved, the approval will carry the following conditions:

- I may not use any city resources, city work time or city equipment for my outside employment.
- My hours of outside employment cannot occur during my regularly scheduled work hours. In no event, may the time spent in my outside work overlap my hours of city employment.
- My outside employment may not interfere in any way with my ability to perform my city duties including attendance and efficiency.
- My outside employment must not present an actual or apparent conflict of interest.
- I must adhere to all City of Boulder policies and procedures.
- Violation of the terms of this approval will result in the approval for outside employment being revoked, and may also result in discipline up to and including termination.

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Name of employee (please print)

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Signature of Employee

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Date

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*Instructions: please make a determination and provide a copy to the employee. If approved, please submit to the Human Resources Department.*

Select one: \_\_\_ approved \_\_\_ not approved

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Name of Department Head (please print)

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Signature of Department Head

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Date

### **FOR HR USE ONLY**

*Instructions: file a copy of the submitted form in the employee's personnel file.*