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	EFFECTIVE DATE: 09-30-2004	
	REVISION DATE: 05-06-2009	
SUBJECT: Ethics Policy		
Michael R. Styler, Executive Director		

## I. PURPOSE

The ethical conduct of public employees is a primary concern of the Utah Department of Natural Resources ("department"). The citizens of Utah rightfully demand ethical and responsible behavior from their public servants. The following policy outlines the department's position in regards to workplace conduct, conflicts of interest, private business activities of employees and other policies, rules and regulations with which employees are expected to comply.

## II. BACKGROUND

This policy is in compliance with the Department of Human Resources Management (DHRM) rules, the Utah Public Officers' and Employees Ethics Act (67-16, Utah Code), the Utah State Personnel Management Act (6-19, Utah Code), the Utah Department of Natural Resources Policies and Procedures, (State of Utah Acceptable use of Information Technology Resources Rule 895.7) and good business practices.

## III. POLICY

- A. This policy is not intended to be all-encompassing and employees are expected to comply with and will be held accountable for all policies, rules and statutes of the department and State of Utah. Other misconduct not addressed by this policy may, at the employer's sole discretion, and in a manner consistent with applicable personnel and merit system procedures, result in corrective and/or disciplinary action up to and including termination.
- B. These policies will provide guidance to all employees in protecting the integrity of the department, their associates and themselves in carrying out official state business. These policies will be administered by all managers/supervisors of the department.
- C. All department employees will act with integrity; treat each other and each customer with whom they come into contact with honesty,

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courtesy and respect. The department wants to be worthy of the highest trust of those whom we interact.

- D. Employees who are subject to a lawsuit resulting from violations of this policy or other acts that are illegal or outside the scope of state employment duties may not be indemnified under the Governmental Immunity Act.
- E. Violations of this policy could result in disciplinary, administrative or other action against an employee.

#### IV. WORKPLACE CONDUCT

1. Employees shall conduct themselves in a manner that does not bring disgrace nor criticism to the department while on or off duty.
2. Employees shall be honest in all work settings, whether dealing with other employees or the department's customers.
3. Employees shall not be insubordinate, disloyal or be disrespectful to the order of a manager/supervisor, except in cases in which such order is reasonably believed to be in violation of this policy or other established policy, rule or statute.
4. Employees, who are required or requested by the department to keep records, conduct research, make measurements or calculate quantities shall not knowingly alter, falsify or omit portions of information, unless a clear explanation of the commission or alteration is noted and documented.
5. Reports shall be made to a person in the department who is above the manager/supervisor when a request is made that they engage in any work or activity which is contrary to the law, human resource rules or department policy, reports made by an employee shall be held in confidence and shall

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not jeopardize the reporting employee's position.

6. Employees shall abide by all state administrative laws, DHRM rules, work place policies, and procedures of the department governing their work or professional activities.
7. Employees shall follow all federal and state laws when participating in political activities.
8. Employees shall not engage in activities that are incompatible or in conflict with their duties as an employee. When in doubt, seek consultation from the immediate supervisor.
9. Employees shall not cause damage to public property or waste public resources, supplies, or funds or use public property for personal or private advantage, nor shall they intentionally steal from the department.
10. Employees shall make prudent and frugal use of state funds, equipment, buildings and supplies.
11. Employees shall not intimidate, use physical harm or threats of physical harm against co-workers, management or other public at any time.
12. Employees shall support a work environment that is safe from all forms of violence, including domestic violence perpetrated with in the workplace.
13. Other than in the performance of their assigned duties, employees shall not make audio or visual recordings of any activities on state property or of activities related to state business, except as authorized by the Executive Director or his designee.
14. No department employee shall use their state-owned computer for commercial use, for visual or textual sexually

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explicit use, for religious or political lobbying, nor any other purpose, which violates local, state or federal laws or workplace rules/policies.

15. Employees shall not install or use privacy software for purposes of deception or to otherwise conceal any unacceptable use(s) of IT resources. Such privacy software includes, but is not limited to, software that removes, hides, erases or alters files.
16. Employees while on duty (including breaks and lunch) shall not have in their personal possession, in their assigned vehicles, in their assigned office space or any other assigned or department locations any sexually oriented/explicit material including but not limited to magazines, books, floppy discs, videos or images, except as evidence in an assigned investigation.
17. Department employees who are certified law enforcement officers shall conform to the law enforcement code of ethics.
18. Employees shall at all times operate state vehicles and state equipment in a safe manner and shall not violate traffic laws, drive intoxicated nor be under the influence of any drugs that affect their performance.
19. Employees shall not consume alcoholic beverages of any type or be under the influence of alcohol or controlled substances during duty hours, including on-call hours, or be in the possession or influence of such on state property or in state equipment at any time.
20. Employees shall not circulate rumors degrading to the department or its officers or employees in writing or verbally. If employees have a complaint regarding other employees or the department, they shall provide a written complaint to the human resources office, or the department executive director.

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21. Employees shall pay or make reasonable provisions for the future payment of their work-related debts to the Department of Natural Resources.
22. Employees shall not take for personal use fees, gifts or other valuables in the course of their work, or in connection with it, when such fees, gifts or other valuables are given by any person in reasonable hope or expectation of receiving special privileges or treatment.
23. Employees shall obtain and maintain any license or certificate required to perform the essential functions of the position, including a proper driver's license.
24. Employees will report any revocation or suspension of required licenses or certificates immediately to their supervisor. Also, if the position requires the employee to operate any state vehicles, they must report any revocation or suspension of their driver's license to their supervisor immediately.
25. Employees shall perform their assigned duties during the full schedule for which they are being compensated.
26. Employees shall be competent and efficient in the performance of their duties.
27. Employees shall not be careless nor negligent in the performance of their duties.
28. Employees shall have the physical and mental ability to perform essential functions of the position either with or without reasonable accommodation.
29. Employees shall meet the standards established in their individual performance plan and report to their supervisor any

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conditions, circumstances, unclear instructions or procedures that would prevent them from performing their job effectively and safely.

30. Employees shall not abuse sick leave, rest periods, excess hours, and/or arrive late for their assigned shift nor work overtime hours without prior approval.

#### V. OUTSIDE EMPLOYMENT

State employment shall be the principal and vocation of priority for full-time employees governed by these rules. Employees engaging in outside employment are subject to the following conditions:

1. Employees shall not allow outside employment to interfere with efficient performance of their state position.
2. Employees shall not engage in outside employment or other activity that conflicts with the interests of the department or the State of Utah.
3. Employees shall not engage in outside employment that could reasonably give rise to criticism or suspicion of conflicting interests or duties.
4. Employees with emergency response assignments shall not engage in outside employment which interferes with their availability during said emergencies.
5. Employees shall notify agency management in writing of any outside employment, volunteer work, contractual work or other activity which may result in a conflict of any type or degree with state employment.

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## VI. CONFLICT OF INTEREST

Employees may receive honoraria or paid expenses subject to the following conditions:

1. Employees shall not use their state position or any influence, power, authority or confidential information they receive in that position nor paid employment time, equipment, property or supplies for private gain.
2. Employees shall not receive outside compensation for their performance of state duties except in cases of:
  - a. Awards for meritorious public contribution.
  - b. Honoraria or expenses paid for papers, speeches or appearances made by employees with the approval of the administrative authority, or on their own time for which they are not compensated by the state and which are not prohibited by these rules.
  - c. Usual social amenities, ceremonial gifts or insubstantial advertising gifts.
3. Employees shall not engage in business such as selling goods, materials or services to the department or to contractors working for the state where there may exist a potential conflict of interest, or render services to the department on a contractual or fee basis.
4. Employees shall not accept gifts of significant value or favors from persons or companies that are doing business with or may, in the near future, be competing for work from the department.
5. Favors in this provision may include but are not limited to the offering of materials or services at a reduced price, the offer

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to give employment to members of an employee's family (either on a state job or otherwise) or any other consideration that may be construed as placing the employee in a position of indebtedness or obligation to persons or companies doing business with the department.

6. Employees shall consult with their supervisor and obtain department approval prior to engaging in activities where a potential conflict of interest exists.