

Code of Conduct for City Elected and Appointed Officials

I. PURPOSE

The City of Somerville recognizes that all individuals elected and/or appointed by the City must maintain and enforce respectful discourse with their fellow elected and/or appointed members, with those who work for the City, those who volunteer their time and services on behalf of the City and members of the general public by striving at every meeting, forum or other official interaction to treat every person fairly and with respect regardless of any differences of opinion.

This Policy provides a centralized standard of conduct for all elected and appointed officials in the City.

II. APPLICABILITY

This Policy and all its sections shall apply to all elected and appointed officials acting on behalf of the City and covers all of their actions and communications whether spoken or written, including but not limited to, all electronic communications including social media.

III. CODE OF CONDUCT

All City elected and appointed officials are expected to act honestly, conscientiously, reasonably and in good faith at all times, having regard to their responsibilities, the interests of the City, and the welfare of its residents.

The City elected and appointed officials must refrain from communicating or acting in a disrespectful, abusive and/or threatening manner towards members of the community, other elected or appointed officials, and City employees.

Moreover, all elected and appointed officials must fully comply with the City's Anti-Harassment and Anti-Discrimination Policy.

Further, all elected and appointed officials of the City must assume the following responsibilities:

A. Conduct in Relation to the Community

- Be well informed concerning the local and state duties of a board/committee/council member.
- Never purport to represent the opinion of your board/committee/council except when specifically authorized by a recorded vote to do so.

- Accept your position as a means of unselfish public service, not to benefit personally, professionally, or financially from your board/committee/council position.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Demonstrate respect for the public that you serve.
- Safeguard confidential information.
- Conduct yourself so as to maintain public confidence in our local government.
- Conduct official business in such a manner that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted, conduct the business of the public in a manner that promotes open and transparent government.
- Comply as fully as possible with all City policies, including but not limited to, the following:
 - Anti-Harassment and Anti-Discrimination Policy
 - Anti-Fraud Policy
- Comply as fully as possible with all applicable laws, including but not limited to, the following:
 - The Open Meeting Law
 - Procurement Laws
 - The Ethics/Conflict of Interest Statute (G.L. c.268A).

B. Conduct in Relation to other Elected and Appointed Officials

- Treat all members of the board/committee/council to which you belong with respect despite differences of opinion, keeping in mind that professional respect does not preclude honest differences of opinion but requires respect within those differences.
- Participate and interact in official meetings with dignity and decorum fitting those who hold a position of public trust.
- Recognize your responsibility to attend all meetings to ensure a quorum and promptly notify the Chair should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a board/committee/council requires written notification to the City Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the board/committee/council outside of such meetings.
- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the board/committee/council until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

C. Conduct in Relation to the City Mayor

- Recognize and support the personnel administrative chain of command and refuse to act on complaints as an individual outside the administration.

- Give the City Mayor full responsibility for discharging his or her choices and/or solutions as they relate to personnel.
- Refrain from giving orders or directions to the City Mayor for action as an individual board/committee/council member.
- Refrain from providing information to the City Mayor that you would not be willing to share with other board/committee/council members.

D. Conduct in Relation to City Staff

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- Refrain from giving instructions to or requesting assistance from City staff but rather channel all such activities through the Mayor and/or the Mayor's designee.
- Never publicly criticize an individual employee or department. Concerns about staff performance should only be made to the Mayor and/or the Mayor's designee City Clerk and/or Chief of Staff through private communication.
- Officials who interact with City staff must do so in a respectful manner and understand that employees should not be expected to take direction from any individual official on any matter.

IV. DISTRIBUTION AND EDUCATION

- The City Clerk shall provide, along with the annual Ethics training, a copy of this Policy, the City's Anti-Harassment and Anti-Discrimination Policy and the Anti-Fraud Policy to all elected and appointed officials upon its issuance and upon the subsequent appointment or re-appointment of any individual.
- Each individual shall sign a statement that they have read this Policy and will comply with all requirements set forth in this Policy. In the event that any member declines to sign the form, that fact shall be noted by the City Clerk on the form.

V. ENFORCEMENT

In addition to any other remedies or enforcement options available under the law, each board/committee/council may vote to censure any elected member and the appointing authority may decline to reappoint an individual who violates any provision of this Code of Conduct. In addition, the Chair of each board/committee/council may take action against the elected and/or appointed individual that is deemed lawful including but not limited to requesting that the individual attend training, receive counseling and/or coaching, and/or removal from assigned duties and responsibilities including special assignments for the board or committee.

If any elected or appointed official is accused of violating the City's Anti-Discrimination and Anti-Harassment Policy, the Director of Human Resources shall refer the matter for investigation to the contact named in the Anti-Harassment and Anti-Discrimination Policy or a disinterested outside firm or individual qualified to investigate the alleged conduct. The Director of Human Resources shall not be obliged to obtain any additional authority; this Policy shall be sufficient

authority. The firm or individual to whom the matter is referred shall promptly investigate the matter and report back findings of fact and conclusions to the Director of Human Resources. The Director of Human Resources shall share whether or not the allegation was substantiated with the elected official's board/committee/council. The board/committee/council shall then take such action as is authorized by law and as it deems fit in response to the matter.

If an elected or appointed official is accused of violating any other provision of this Code of Conduct, the board/committee/council that the official represents or if applicable the appointing authority may take such action as is authorized by law and as it deems fit or it may vote, upon request of the Director of Human Resources or on its own, to refer the matter to a disinterested outside firm or individual qualified to investigate the alleged conduct. This firm or individual shall promptly investigate the matter and report back findings of fact and conclusions to the Director of Human Resources. The Director of Human Resources shall share whether the allegations were substantiated or not with the board/committee/council. The board/committee/council shall then take such action as is authorized by law and as it deems fit in response to the matter. These remedies shall be in addition to, and not in substitution for, any other remedies that may be available by law.