

OREGON MILITARY DEPARTMENT	NUMBER: AGP-99.100.20
ADJUTANT GENERAL PERSONNEL	EFFECTIVE DATE: July 1, 2022
SUBJECT: Code of Ethics	

APPLICABILITY:

This policy applies to individuals employed by, volunteering with, or otherwise representing the Oregon Military Department (OMD). This policy applies to both applicants and employees in all phases of employment, including recruiting, hiring, placement, training, development, transfer, promotion, demotion, performance reviews, compensation, benefits, and separation from employment.

AUTHORITY/REFERENCES:

Oregon Revised Statutes (ORS) 244 Oregon Government Ethics; ORS 659A.203, Prohibited Conduct by Public or Nonprofit Employer; Oregon Administrative Rules (OAR) 839-010-0020 Disclosures by Public Employees; Prohibited Discrimination by Public Employers; Oregon Government Ethics Commission’s, “A Guide for Public Officials”, adopted April 2021; Department of Administrative Services (DAS) Policy 50.090.01, Managing Improper Governmental Conduct (02/01/2019); Command Policy Memorandum (CPM) #121, Fraud, Waste, and Abuse.

ATTACHMENTS:

Code of Ethics Acknowledgement Form.

PURPOSE:

To inform, educate, and emphasize the importance of ethics into the daily work performed by individuals as government-related business is conducted. It is not the intent of this document to provide extensive details about ethics, which is better suited for discussion in formal trainings that can illustrate examples of people upholding or violating ethical principles and how to deal with those situations.

The OMD is committed to providing a work environment that values ethical behavior and diversity among its employees, volunteers, contractors, and any representative associated with the agency. All Human Resource policies and activities are intended to create a respectful workplace where every individual has the opportunity to reach their highest potential. Employees are provided opportunities regardless of race, color, national origin, religion, sex, sexual orientation, marital status, age, veteran status or disability.

BACKGROUND:

The OMD values the employees who provide support to the Oregon National Guard and always strives to provide quality in our services. Our Ethics Policy helps define our commitment to supporting a culture of trust and integrity in all we do. We are committed to conducting our business affairs and activities with the highest standards of ethical conduct. All employees have an obligation to adhere to this policy and encourage others to do the same. Our Ethics Policy affirms our long-standing commitment to not merely obey rules, laws, and policies, but also to conduct business with integrity.

DISCUSSION:

- a. Employees must strive to avoid any action that would create the appearance that they are violating the law or ethical standards. Declaration of a conflict of interest may be submitted to the Adjutant General Personnel Director for consideration.
- b. Employees may not use their public position or title for their own private gain or for the gain, or detriment, of an expense of persons or organizations with which they are associated personally. The employees' position or title shall not be used: to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, including for themselves, friends, relatives, or persons with whom they are affiliated in a nongovernmental capacity; to endorse any product or service; or to give the appearance of governmental sanction.

GUIDANCE:

Employees are encouraged to:

- a. Proactively promote ethical behavior as a responsible partner among peers in the work environment.
- b. Handle business fairly with employees, customers, suppliers, contractors, competitors, volunteers, and the public.
- c. Provide constituents with information that is accurate, completely objective, relevant, timely, and understandable.
- d. Comply with applicable government laws, rules, and regulations.
- e. Maintain the confidentiality of information entrusted to them except when authorized or otherwise legally obligated to disclose.
- f. Accept responsibility for preventing, detecting, and reporting violations of the state's ethics guidelines.
- g. Be honest and ethical in conduct, including ethical handling and appropriate disclosure of actual or apparent conflicts of interest between personal and professional relationships.

- h. Protect and ensure the proper use of state assets.
- i. Prohibit improper or fraudulent influence over any individual.

RESPONSIBILITIES:

- a. The Adjutant General Personnel (AGP) Director: Manages the implementation of this policy and provisions for compliance, investigations, and offering guidance to employees.
- b. Chief Audit Executive (CAE): Responds to calls from the Secretary of State Audits Division. The Internal Auditor may participate in investigations, offers guidance, and works in collaboration with the AGP office to resolve issues when employees have ethical concerns. The CAE administers ethics training in coordination with the Adjutant General Personnel office.
- c. Supervisors: Support this policy leading by example by encouraging employees to follow and encourage ethical behavior. All ethics violations reported to a supervisor must be disclosed to the AGP Director.
- d. Individuals: Every individual that works, volunteers, contracts with, or is a representative of the OMD is considered a public official and held to the standard requirements within this policy. Any employee or person who suspects or reports dishonest or fraudulent activity shall not attempt to personally conduct investigations or interviews related to any suspected fraudulent act. Investigations will be managed by the AGP office.

RETALIATION AND WHISTLEBLOWER PROTECTION:

The OMD encourages employees to report violations of the Code of Ethics policy to their supervisor, the AGP office, or the CAE. Employee reports of improprieties will be taken seriously and investigated promptly. Reports will be handled in a confidential manner and disclosure will be on a need-to-know basis. Employees bringing such reports will not be subject to retaliation or adverse action based on the disclosure of the complaint. No one who in good faith, reports an action or suspected action taken by or within the agency that is illegal, fraudulent, or in violation of this policy will suffer intimidation, harassment, discrimination, or other retaliation. The OMD treats complaints about and reports of ethical violations seriously and investigates them as required by our procedures and any applicable laws.

TRAINING AND EDUCATION:

- a. Oregon Government Ethics Commission website:
<https://www.oregon.gov/ogec/Pages/default.aspx>
- b. A Guide for Public Officials, 2021:
<https://www.oregon.gov/ogec/Documents/2021%20PO%20Guide%20Final%20Adopted.pdf>

- c. Whistleblower Protections:
<https://www.oregon.gov/boli/civil-rights/Pages/whistleblowing-protections.aspx>

- d. Workday Learning: Oregon Government Ethics Commission - Overview of Oregon Ethics Law:
<https://wd5.myworkday.com/oregon/learning/course/d1b3cb4577c8016322266daaed01c120?record=e1338c6dce860101b008191756180000&type=9882927d138b100019b928e75843018d>

- e. The OMD offers Code of Ethics training to all employees on a regular basis. Employees will be given the opportunity to attend training as trainings are available. Requests to attend trainings should be initiated through the employees' immediate supervisor and will be coordinated through the AGP office in coordination with the CAE.

INQUIRIES / QUESTIONS:

Questions pertaining to this guidance may be directed to AGP office at (503) 584-3865.



Tracy Garcia
Director
Adjutant General Personnel

I hereby certify that I have received and read a copy of the Code of Ethics Policy 99.100.20. I agree to abide by the terms of the Code of Ethics Policy as a condition of my employment with the Oregon Military Department. I will direct any, and all questions regarding the Policy or any other work-related ethical issues to my immediate supervisor or the Adjutant General Personnel's office.

Signature

Date

Printed Name