



A PLAIN ENGLISH  
**ETHICS GUIDE**

FOR CITY OF PROVIDENCE  
EMPLOYEES & OFFICIALS

## Foreword

This handbook is designed to provide a concise overview of the City of Providence's Code of Ethics, which can be found in Section 17-33 of the City's Code of Ordinances, along with information on the Rhode Island Code of Ethics in Government.

As dedicated City employees and officials, it is essential to adhere to both sets of Codes. Throughout this handbook, you will discover instances where the Providence Code of Ethics imposes more rigorous standards compared to the State's Code. In such cases, it is imperative to prioritize compliance with the stricter code.

It is crucial to note that this handbook does not constitute formal legal advice, nor is it intended to replace the guidance of legal professionals. We strongly urge all employees and officials to proactively reach out to the Providence Ethics Team for any inquiries, concerns, or the need for advice and guidance. They are readily available to assist you in upholding ethical standards and navigating any complexities that may arise.

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# PROHIBITED CONDUCT UNDER THE PROVIDENCE CODE OF ETHICS

## **Current Employees:**

### **MISUSE OF CITY PROPERTY**

*Code § 17-33(c)(2) & (3)*

You may not use City-owned property for your personal benefit, profit, or convenience.

*Example: Using a department copier and paper to reproduce the little league schedule for your own convenience is improper.*

Please note that specific ordinances and/or departmental policies address the use of City vehicles, City cell phones, and other City property. It is important to check with your department for details regarding these policies. However, this provision applies in the absence of such an ordinance or departmental policy.

You may not sell, buy, or use any document that fraudulently bears the City seal.

*Example: Your new neighbor blasts loud music from their stereo each night. You decide to send them a letter bearing the City seal informing them that they are violating the noise ordinance. This is unethical.*

### **MISUSE OF CITY POSITION**

*Code § 17-33(c)(1), (5) & (6)*

You may not force (by threats, discipline, discrimination, etc.) an employee to deal with a particular business.

*Example: Threatening to fire an employee in charge of ordering paper supplies if they do not order from Killing Trees Happily, Inc. is improper.*

You may not use your position for the purpose of gaining a benefit for yourself or someone else.

*Example: You are an inspector for the Department of Inspections and*

*Standards. You call a local restaurant asking for a dinner reservation for Saturday. You are told that there are no reservations available. You tell them who you are and remind them that their restaurant is scheduled to be inspected in the next couple of weeks and ask them to double-check. This is a misuse of your position.*

You may not disclose confidential or privileged information gained through your employment with the City.

*Example: Working with the retirement board, you come across sensitive medical information about a senior manager and discover that they have a pre-existing medical condition that may impact their ability to perform certain job duties effectively. During lunch, you decide to share that information with your spouse. This conduct is improper and unethical.*

### **MISUSE OF CITY TIME**

*Code § 17-33(c)(7) & (8)*

You may not knowingly employ someone who does not show up for work; shows up for work but does not perform their duties; or gets paid an amount of money grossly disproportionate to the tasks they do perform.

You may not conduct outside business, including non-compensated business, during the regular hours of your City position.

*Example: You are scheduled to attend your child's PTA meeting at 3:00 p.m., but your regular business hours do not end until 4:30 p.m. In order to attend, you should discharge personal time, or, if it is available, discuss compensation time with your supervisor.*

### **IMPROPERLY OBTAINING A CITY POSITION**

*Code § 17-33(c)(4)*

You may not, either directly or indirectly, give, promise, or pay any money, service, or other thing of value to anyone for the purpose of obtaining a promotion or employment with the City.

*Example: It is unethical to offer to babysit your supervisor's children for an entire month to get a promotion.*

## REPRESENTING AND ADVISING OTHER PERSONS OR ENTITIES IN CONNECTION WITH A CITY MATTER

Code § 17-33(c)(9)-(10)

You may not represent, advise, consult, or assist any person or entity in connection with a matter:

- in which the City/municipal agency is a party or has a direct substantial interest; and
- in which you participated personally and substantially in your capacity as a City official/employee; and
- which involved a specific party/parties at the time of your participation; and
- which is the same matter in which you participated as a City official/employee.

*Example: As a zoning board member, you voted on Dr. Jekyll's application for a use variance to operate a lab in a residential area. Dr. Jekyll's application was denied and they appeal to Superior Court, naming the zoning board as a party. It would be unethical to represent, advise, consult, or assist Dr. Jekyll with their appeal of the zoning decision.*

### **Former Employees:**

#### REPRESENTING, ADVISING, OR CONSULTING

Code § 17-33(d)(1-2)

For a period of one (1) year after leaving City service, a former employee/official of the City cannot represent, advise, consult, or assist any person or entity in connection with a matter:

- in which the City/municipal agency is a party or has a direct substantial interest; and
- in which you participated personally and substantially in your capacity as a City official/employee; and
- which involved a specific party/parties at the time of your participation; and
- which is the same matter in which you participated as a City official/employee.

## **CONTRACTS, GRANTS, AND SUBSIDIES**

*Code § 17-33(d)(3)*

A former employee/official of the City who participated personally and substantially in a negotiation or supervised a negotiation, of a municipal contract, grant, or subsidy cannot accept employment with a party to the contract or the recipient of the grant or subsidy for a period of one (1) year after the contract is signed or the grant or subsidy is awarded.

## **CONFIDENTIAL INFORMATION**

*Code § 17-33(d)(4)*

A former employee/official of the city cannot disclose confidential or privileged information acquired during service as an employee/official unless authorized by law.

## **CAMPAIGN ETHICS**

*Code § 17-33(e)(1-2),(b)(5) & (e)(4)*

An employee of the City cannot take an active part in political management or campaigns during duty hours.

An employee of the City, while wearing a uniform required for employment, cannot solicit support for any candidate or request that an individual contribute any time, money, or other things of value to a candidate, political party, or political measure.

It is important to note that the term “employee” does not include elected officials.

It is unlawful for any person to solicit political contributions from employees of the City during the employee’s hours of employment.

It is unlawful for any person to solicit or knowingly accept any campaign contributions in a City facility.

## **AIDING AND ABETTING**

Code § 17-33(f)

No person shall knowingly and intentionally provide assistance to or otherwise aid or abet any other person in violating any provision of this ordinance.

## **SUSPENSION OR DISMISSAL FOR FELONIES RELATED TO EMPLOYMENT**

*Code § 17-33(g)*

Upon being formally charged with a felony directly related to their employment, a City employee may be suspended with or without pay, or transferred to another position.

A City employee shall be dismissed immediately upon conviction of or plea of nolo contendere to a felony related to his or her employment.

## **PENALTIES AND ENFORCEMENT**

A violation of the City's Code of Ethics can have serious consequences, including loss of employment, civil fines, and incarceration.

## **REVOLVING DOOR**

The City's and State's codes of ethics both contain revolving door provisions—provisions that address moving from one position within the City to another. The following is a brief overview of both:

Municipal elected officials and school committee members may not seek or accept employment within any municipal agency of the municipality in which they serve, other than that held at the time of election, while in office, and for a period of one (1) year after leaving office. However, a municipal elected official or school committee member may seek election to any other elective office.

Elected and appointed officials may not accept appointment or election to positions that carry any financial benefit that requires approval by the body of which they are a member while serving as a member of that body and for a period of one (1) year thereafter.

## **RHODE ISLAND CODE OF ETHICS**

All City of Providence employees and officials are also subject to the provisions of the Rhode Island Code of Ethics in Government.

Just as with your obligations under the City's Code of Ethics, your obligations under the Rhode Island Code of Ethics are yours and yours alone.

As such, you are strongly encouraged to consult the Rhode Island Ethics Commission website, [www.ethics.ri.gov](http://www.ethics.ri.gov), for the most up-to-date guidance, resources, and materials.

For questions regarding the Rhode Island Code of Ethics, you may contact the Providence Ethics Team or reach out to the Rhode Island Ethics Commission directly by contacting:

Lynne Radiches  
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# CONFLICTS OF INTEREST

Most, if not all, of the provisions of the Rhode Island Code of Ethics in Government, are concerned with conflicts of interest and variations on that same theme.

Under the Code, an official or employee cannot participate in matters where they have a conflict of interest in the performance of their duties.

## When do you have a conflict of interest?

You have a conflict of interest if it is reasonably foreseeable that a decision you are helping to make as part of your public duties:

1. Will result in a financial benefit or detriment to:

- You,
- Your family or household members;
- Your outside employer; OR
- Your business associate.\*

2. OR, even if there is no financial impact, if a family member, household member, employer, or business associate is a party to or is participating in, the matter being discussed.

*\* A business associate is any person or entity with whom you are joined to achieve a common financial objective. Your business associates are not only your business partners but also people you have hired as attorneys, accountants, realtors, contractors, etc. Your business associates are also any businesses or organizations, even if not-for-profit, for which you are an officer or director.*

## What to do if you have a conflict of interest?

Merely having a conflict of interest is not a violation of the Rhode Island Code of Ethics. It is what you do after you identify a conflict of interest that matters.

If you identify a conflict of interest, you must take the following steps:

- **Inform your supervisor:** if it is necessary that another person handle the matter, you cannot reassign it yourself. Rather, you must inform your supervisor so that they can reassign it; and
- **Recuse:** meaning, do not participate in any aspect of the work or decision-making relating to the matter; and

- Complete a Statement of Conflict of Interest form; and
- Provide a copy to your supervisor; and
- Send a copy to the Rhode Island Ethics Commission.

### **Avoid the appearance of impropriety.**

Even if you do not believe that you have a conflict of interest, as defined by the State's Code of Ethics, but you believe nonetheless that your participation in the matter would create an appearance of impropriety, you should still recuse and follow the procedures outlined above.

## **GIFT POLICY\***

To avoid a conflict of interest, or the appearance of impropriety, employees and officials of the City of Providence may not accept gifts from vendors, suppliers, customers, potential employees, potential vendors or suppliers, or any other interested person, under any circumstances.

**This zero-tolerance gift policy includes, but is not limited to, the following:**

- A gift of cash, debt forbearance, or debt forgiveness in any amount;
- Vendor or potential vendor or supplier-provided food, beverages, or meals, whether delivered to work locations or provided in a restaurant setting;
- Gift baskets or similar vessels containing any food items, beverage items, or any other items of value;
- Tickets to entertainment venues such as sporting events, theatrical events, cultural events, etc.

**If a City employee or department receives a gift:**

- If feasible, the gift shall be returned to the vendor with a note of thanks.
- If not feasible to return the gift, the gift must be donated to an appropriate City-approved charity. This includes gifts of food or beverage, or gift baskets consisting of food or beverage or other items of value.
- Charitable donations of gifts received will be coordinated through the City's Department of People and Culture who should be contacted when donation assistance is required.

If any employee has questions about and/or needs clarification of any aspect of this policy, the employee should check with their supervisor. If the supervisor is uncertain, the Department of People and Culture will serve as the arbiter of the gift policy to ensure consistent employee treatment across the City.

*\*Please note that the City's Gift Policy differs from the State's policy. As a City employee/official, you are bound by both Codes of Ethics; however, when it comes to gifts, we should follow the City's Code.*

## **ADDITIONAL SECTIONS**

Additional conduct covered by the Rhode Island Code of Ethics in Government:

- Nepotism and Favoritism
- Honoraria
- Outside Employment
- Acting as Agent or Attorney
- Appearances before your own Agency
- Revolving Door
- Contracts with State or Local Government
- Transactions with Subordinates

The overview provided in this handbook is by no means meant to be exhaustive. Rather, it is intended to bring issues to your attention for your own independent and further exploration.

You are strongly encouraged to familiarize yourself with the resources available on the Rhode Island Ethics Commission website: [www.ethics.ri.gov](http://www.ethics.ri.gov).

## GUIDANCE

If you have questions regarding the application of the City's Code of Ethics to you or to a particular situation or set of facts with which you are confronted, you may wish to do any of the following:

- Consult with your Board's or Commission's counsel (if applicable).
- Contact the City's Municipal Integrity Officer for informal, confidential advice.
- Submit a request in writing to the Providence Ethics Commission for a formal advisory opinion.

## HELPFUL RESOURCES

- To confidentially report a potential violation of the Code of Ethics, you can do so by calling the Hotline at 844.9ETHICS (844.938.4427).
- To schedule ethics-related department-level training, please contact Leonela Felix, Ethics Education, and ADA Coordinator, at [lfelix@providenceri.gov](mailto:lfelix@providenceri.gov).
- For helpful Ethics Resources, please visit our website [www.providenceri.gov/ethics](http://www.providenceri.gov/ethics)