


Policy Title:		Ethics Policy	
	OFFICE OF THE DIRECTOR DWSD ETHICS COMMITTEE	Category	Enterprise Wide
		Administrative Policy #	
		Revision #	
		Review Frequency	As Needed – no less frequently than triennially
Administrative Division	DWSD Ethics Committee	Reviewed By	Chief Administrative Officer / General Counsel
BOWC Approval		Last Reviewed/Update Date	
Implementation Date			

1. OBJECTIVES

- 1.1. To formally recognize the City of Detroit Ethics Ordinance 2012 as the criteria to evaluate ethics.
- 1.2. To establish a mechanism for handling and reporting violations of the Ethics Ordinance.

2. PURPOSE

- 2.1. DWSD has a duty and responsibility to ensure that decisions are made in the public's best interest by prohibiting Employees from participating in matters that affect their personal or financial interests. The purpose of this article is to formally recognize the City of Detroit Ethics Ordinance 2012 as the criteria to evaluate ethics and define those acts or actions that are incompatible with the best interests of DWSD and by mandating disclosure by Employees of private financial or other interests in matters affecting DWSD. The article intends to declare integrity in DWSD's decision making, operations and processes as a fundamental value and policy to which all Employees should strive to adhere at all times. To underscore the paramount importance of this policy, the article should be liberally construed so as to fully protect the public interest, and to effectuate the provisions of shall prohibit actions by Elective Officers, Appointive Officers, Appointees, Employees, or Contractors.

3. DEFINITIONS

“Appointee” means a person who holds either a compensated or an uncompensated position.

“Appointive Office” or Appointive Officer means positions and Appointees holding compensated positions.

“City” means the City of Detroit.

“Contractor” means a party who, or which, seeks to enter, or enters, into a contract with DWSD for the delivery of goods or services, but does not mean one who seeks to enter, or enters, into a personal services contract, as defined in this section, with DWSD.

“Employee” means a person who is employed by DWSD on a full-time or a part-time basis.

“Executive Management” means the Director, Deputy Director, Chief Administrative Officer (CAO), Chief Finance Officer (CFO), Chief Information Officer (CIO) and Chief Operating Officer (COO).

NOTE: Refer to the City’s Ethics Ordinance for additional terms and definitions.

4. SCOPE

- 4.1. This policy applies to all DWSD Employees by defining those acts or actions that are incompatible with the best interests of DWSD and by mandating disclosure by Employees of private financial or other interests in matters affecting DWSD.

5. RESPONSIBILITIES

- 5.1. DWSD is responsible for administration and oversight of this policy and will accept information from the following entities to administer this policy:

5.1.1. Employees

- 5.1.1.1. All members of Executive Management and all DWSD Employees shall comply with this Policy.
- 5.1.1.2. All members of Executive Management and all DWSD Employees shall execute a written notice acknowledging that they have received, read, and understand this Policy.

5.1.2. Third Party Provider

- 5.1.2.1. At the discretion of the Director, Executive Management may establish an Ethics Hotline to be maintained by an independent third party.
- 5.1.2.2. The third party provider, Executive Management, and the Ethics Committee shall be held responsible for protecting the anonymity of individuals who submit ethics complaints.
- 5.1.2.3. The third party provider of Ethics Hotline services shall be held responsible for ensuring access and maintenance of records.

5.1.3. DWSD Ethics Committee

- 5.1.3.1. The Director has the authority to appoint an Ethics Committee. If such committee is established, it will consist of a minimum of five members, one of which will be a sitting BOWC member and the General Counsel. The remaining members consist of Executive Management and/or other DWSD Employees with relevant duties.
- 5.1.3.2. All members of the Ethics Committee shall comply with this Policy and be held responsible for the enforcement of this Policy.
- 5.1.3.3. All members of the Ethics Committee shall be held responsible for administering the Ethics Hotline and handling ethics complaints, including those submitted by DWSD Employees as well as Contractors, vendors, customers and members of the public.
- 5.1.3.4. All members of the Ethics Committee shall be held responsible for protecting the anonymity of individuals who submit ethics complaints.

5.1.3.5. All members of the Ethics Committee shall be held responsible for ensuring the appropriate individuals have access to the Ethics Hotline services.

5.1.3.6. The Ethics Committee may be responsible for providing periodic reports to the BOWC summarizing the number of complaints and corrective actions taken.

5.1.4. Board of Water Commissioners (BOWC)

5.1.4.1. The BOWC shall review periodic reports submitted to them by the DWSD Ethics Committee.

6. POLICY

6.1. Ethics Ordinance

6.1.1. DWSD intends to follow the City of Detroit Ethics Ordinance 2012.

6.2. Ethics Committee

6.2.1. The Director may establish an Ethics Committee for the purpose of evaluating ethics complaints at DWSD.

6.3. Solicitation of Donations & Gifts

6.3.1. From time to time, DWSD personnel may be asked to assist in soliciting donations or gifts from DWSD Contractors for non-profits and other organizations. DWSD personnel are prohibited from soliciting donations for any purpose from DWSD Contractors.

6.4. Reasonable and Necessary Accommodations

6.4.1. Management may take reasonable and necessary actions to accomplish the intent of this policy.

7. PROCEDURE

NOTE: The following procedures are applicable in the event the Director has established an Ethics Committee.

7.1. Complaint Intake

7.1.1. Complaint, contents thereof; limitation of action

7.1.1.1. Except for members of the DWSD Ethics Committee, any person may file a complaint with the DWSD Ethics Committee where the person believes that a public servant may have violated the City of Detroit Ethics Ordinance 2012, committed acts of fraud waste or abuse, or committed an illegal act.

7.1.1.2. A complaint shall be made via the third party Ethics Hotline and shall specify the facts alleged to constitute a violation.

7.1.1.3. Such a complaint shall be filed within one hundred eighty-two (182) days from the date that the complainant(s) knew or should have known of the

action that is alleged to be a violation of this article, and in no event shall the DWSD Ethics Committee consider a complaint which has been filed more than two (2) years after a violation of this article is alleged to have occurred.

7.1.2. Retaliation and harassment prohibited

- 7.1.2.1. It shall be a violation of this Policy for any DWSD Employee, or Contractor, to retaliate against any individual who files a complaint with the DWSD Ethics Committee on the basis that the individual has filed the complaint.
- 7.1.2.2. It shall be a violation of this article for an individual to use this article to harass a public servant, or Contractor, by filing a complaint with knowledge of its falsity or with reckless disregard for its truth or falsity.

7.1.3. Ethics Hotline

- 7.1.3.1. Any individual suspecting corrupt activity, such as fraud, waste, or abuse, shall issue a complaint via the third party Ethics Hotline.
- 7.1.3.2. Complaints received by the third party shall be handled with an unbiased response by the third party.
- 7.1.3.3. Complaints prepared by the third party will include details from the call, including the details of the incident(s) and whether or not the call relates to one of the following categories of ethics violations:
 - Fraud/Waste/Abuse Related Issues
 - Theft
 - Discrimination
 - Sexual Harassment
 - Substance Abuse
 - Workplace Violence/Threat
 - Employee Relations
 - Customer Relations
 - Safety, Sanitation and Environment Issues
 - Wage and Hour Issues
 - Policy Issues
 - Legal and Compliance Issues
 - Violations of Applicable Law
- 7.1.3.4. Based on the call and the completed Complaint Form, the third party shall determine, based on urgency of the complaint, whether an incident warrants reporting to the Ethics Committee.

7.1.4. Review & Resolution of Ethics Complaint

- 7.1.4.1. On a periodic basis, the DWSD Ethics Committee shall review all Complaint Forms received from the third party Ethics Hotline.
- 7.1.4.2. The DWSD Ethics Committee shall memorialize all Complaint Forms received from the third party in the form of a Complaint Log.

- 7.1.4.3. After updating the Complaint Log, the DWSD Ethics Committee shall review the Complaint Form to determine if an ethics violation has occurred.
- 7.1.4.4. If a violation of this Policy is believed to occurred, the Ethics Committee shall be responsible for determining if additional research is necessary.
 - 7.1.4.4.1. If additional research is necessary, the Ethics Committee shall be responsible for performing such additional research, including review of the details of this Policy, before making a determination of whether an ethics violation has occurred. The Ethics Committee may delegate certain research or investigation to DWSD staff members.
- 7.1.4.5. The Ethics Committee will determine the course of action to be taken for each complaint. The Ethics Committee may refer the case to a relevant DWSD staff member (for instance, internal audit or the human resources director) for additional research or investigation.
- 7.1.4.6. Should corrective or punitive action be necessary, the appropriate party within the organization shall handle the matter. Depending on the nature and facts of the violation, the appropriate party could be a supervisor, a division or department head, a member of Executive Management, the Director, or the Board. If the allegations relate to a potential violation of federal, state or local law, the General Counsel shall include a separate legal opinion regarding the alleged violations, which shall be a privileged and confidential attorney communication.

7.1.5. Periodic Reporting

- 7.1.5.1. The DWSD Ethics Committee shall be responsible for preparing, on a periodic basis, a Summary Report of all ethics complaints by the handled during the period.
- 7.1.5.2. Upon receipt from the DWSD Ethic Committee, the BOWC shall meet and review the Summary Report to provide appropriate oversight and ensure proper handling of all ethics complaints.