



The following code of conduct is applicable to all City of Mobile employees. Any violation of these rules can result in discipline or unfavorable personnel action based upon the type and severity of offense. The Mobile Police Department and Mobile Fire and Rescue Department have independent conduct rules and regulations that are established to govern their specialized operations. If one of their rules contradicts a rule or is more restrictive, then it shall take precedent.

The recommended range and order of potential discipline levels are as follows:

1. Corrective counseling
2. Verbal reprimand
3. Written reprimand
4. Suspension/Demotion
5. Termination

There is no prohibition for an upward or downward departure based upon articulated aggravating or mitigating circumstances.

Knowledge of Rules Regulations and Procedures

An employee is required to maintain a working knowledge of the rules, regulations, orders, and procedures of the City and the duties of their assignment. Failure to know or understand the rules, regulations, orders, and procedures of the City and the duties of their assignment will not serve as a defense with respect to any violation.

1.0 PERSONAL CONDUCT

1.1 Misconduct

All employees shall conduct themselves in accordance with these rules, all policies promulgated by the City of Mobile (including all department specific policies), and in such a manner that is becoming of a City of Mobile employee. (Level 1-5)

1.2 Habitual Misconduct

An employee is a habitual violator if they have been disciplined at a Level 3 or higher on two (2) prior occasions for any offense within a two-year period immediately prior to the alleged offense and commits a third or subsequent offense within that two-year period. (Level 4-5)



1.5 Appearance

All employees shall, during scheduled hours, be neat, clean, well-groomed and maintain a professional appearance appropriate for their position, except when exempted by proper authority. Furthermore, employees shall, during scheduled hours, wear their required uniform or appropriate and suitable civilian clothing commensurate as a representative of the City of Mobile. (Level 1-4)

1.6 Loafing

All employees shall, during scheduled hours, work diligently with respect to job duties and responsibilities. An employee is considered loafing if engaged in: (Level 1-4)

- A. concealing themselves while on duty,
- B. sleeping or being inattentive while on duty
- C. loitering in areas not associated with the employee's regular work routine.

1.7 Acceptance of Gifts

All Employees, including their immediate family, as a result of their official position, shall not request, accept, or direct others to request or accept meals, gifts, gift certificates, discounts, gratuities or any other item of significant value (including services of any nature) from any vendor, supplier or resource with whom the City of Mobile has an existing or potential business relationship.

Significant value is any gift with a market value of \$25 or more. (Level 1-4)

1.8 Contact with Citizens

An employee shall, when acting in his or her official capacity, address and communicate with citizens and members of the public in a businesslike and courteous manner and give all possible consideration to all citizens and members of the public seeking information or assistance. (Level 1-4)

1.9 Respect for other employees

An employee shall treat any supervisor, subordinate or associate with utmost respect and courtesy. All employees are required to refrain the following:



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- A. **Foul/Profane Language:** An employee shall not use disrespectful, profane, abusive, demeaning, belittling, insulting, racially, or discriminatory charged language and/or gestures to any person. (Level 1-4)
 - B. **Race, Color or National Origin:** An employee shall not demean any other person, including demeaning a person's race, nationality, religion, sex, or ethnic origin. (Level 1-5)

1.10 Misuse of Position

An employee shall not use or attempt to use their official position or credentials for their personal benefit or interest or financial or pecuniary gain. (Level 1-4)

1.11 Insubordination

Employees shall never act in a way that undermines or interferes with their supervisor's leadership. This includes, but is not limited to, the following:

- A. **Failure to Follow Instructions:** An employee shall always pay careful attention and follow all legal, ethical and reasonable orders given, either verbal or written, and shall be held accountable for all instructions given by their supervisor. (Level 1-4)
- B. **Failure to Follow City Rules/Regulations:** An employee shall not willfully disobey or disregard any City rule, regulation, order, policy, or procedure. (Level 1-5)
- C. **Abusive act or Language:** An employee shall not deliberately use disrespectful, profane, mutinous, insolent or abusive language or action toward a supervisor. (Level 1-5)

It is a defense to a charge under this subsection if it is shown that the rule, regulation, order or procedure, alleged to have been disobeyed, was unlawful. However, employees shall, upon an order he or she believes to be improper or unlawful, first obey the order and at their earliest opportunity, report the incident in writing to next-level supervisor or to the Office of Professional Responsibility.



1.12 Competence and Efficiency

All employees will maintain, at a minimum, mandated levels of proficiency, knowledge, and ability based upon their job description to allow them to perform job-related assignments effectively and efficiently. (Level 1-5)

1.13 False Statements Regarding City Operations

An employee shall not engage in the dissemination and/or publication of any false statements regarding city operations, policies, or personnel by speech, writing, expression or in any other manner when such speech is knowingly factually inaccurate or made with reckless disregard for the truth. Repeating false statements with a reckless disregard for the truth is the same as originating the speech. (Level 4-5)

1.14 False Allegations

An employee shall not knowingly or intentionally make any false allegations or statements against another employee. (Level 1-5)

1.15 Neglect of Duty

An employee is required to perform the duties of their position with reasonable skill and diligence.

Failure to give proper attention to an assigned task or job responsibility is defined in the following manner:

- A. **Simple Neglect:** results from the employee being careless or unresponsive to a task or responsibility. (Level 1-4)
- B. **Gross Neglect:** results from habitual, willful and/or a conscious indifference to a task or responsibility. (Level 4-5)

1.16 Duty to Report

All employees have a duty and are required to report suspected or actual violations of laws, government rules/regulations, or city policy. If an employee has reason to believe that there exists questionable or illicit conduct, the employee should immediately report those facts to his/her supervisor, manager, department head, or the Office of Professional Responsibility. (Level 1- 5)



1.17 Bankruptcy

An employee shall, within 24 hours of filing for bankruptcy, provide written notification to their Department Head. (Level 1-3)

2.0 CITY OF MOBILE RECORDS

City of Mobile employees may have access to information and records that are confidential or proprietary in nature.

Failure to properly handle or safeguard information and/or records that are confidential will be classified as:

A. Simple:

1. Unintentionally omitting any matter or items from any report, record, or city document when such omission has the effect of making the report, record, or documents inaccurate or incomplete for the purpose it is designed to serve. (Level 1- 4)
2. Supplying non-confidential information to the news media when such action is not consistent with City media policy. (Level 1-4)

B. Gross:

1. Altering, forging or tampering with any report, record, or city document for any improper or unlawful reason. (Level 4-5)
2. Revealing confidential records, reports, or information to unauthorized persons except the person for whom it is intended or as directed by proper authority or by legal process. (Level 4-5)
3. Knowingly making any false statement or report, either oral or written. Knowingly entering or causing a report, record, or city document to be entered as inaccurate, false, or improper information. (Level 4-5)
4. Intentionally omitting any matter, item or fact from any report, record or document for the purpose of making the report, record or document inaccurate or incomplete for the purpose it is designed. (Level 4-5)
5. Supplying confidential information to the news media when such action is not consistent with City rules, regulations, policies, orders, or procedures. (Level 4-5)



3.0 PROPERTY AND EQUIPMENT

An employee is required to take appropriate steps to safeguard all property of the City of Mobile. Employees shall immediately report to their supervisor the loss of or damage to City property, equipment, or material assigned to or used by them.

Failure to properly safeguard city property is defined in the following manner:

A. Simple:

1. An employee shall not, either by simple negligence or conduct, mark, alter or deface any City property, equipment, material, building, or any portion of the buildings under the control of the City. (Level 1-4)
2. An employee, through negligence or carelessness, loses any property, equipment, or material issued or assigned to them.
3. An employee who intentionally damages or wastes City property, equipment, or materials. (Level 1-4)

B. Gross:

1. The appropriation of any City property, equipment, or material for their private or personal use, or allow it to be appropriated for the private or personal use of any person (Level 4-5)
2. The intentional marking, altering or defacing any City property, equipment, material, building or any portion of a building under the care and control of the City or gross conduct causing such result. (Level 4 – 5)

4.0 SUPERVISION

4.1 Failure to Supervise

The duty to supervise is a critical component of every manager’s responsibility regardless of the managerial level.



A violation for failure to properly supervise may occur when either:

A. Simple:

1. Awareness of policy violations, neglect, inefficiency, or incompetency are not followed up with proper supervision/corrective action or a supporting evaluation. (Level 1-4)
2. Failure to properly rate or document an employee's substandard performance. (Level 1-4)

B. Gross:

Supervision is so deficient it results in failure to detect policy violations, neglect, inefficiency, or incompetency. (Level 4-5)

4.2 Issuing Illegal, Immoral or Unreasonable Order

An employee shall not knowingly issue any order, verbal or written, that is determined to be immoral and/or unreasonable, when such is in violation of any rule, regulation, law or procedure of the city. The issuing of such orders is classified into two categories:

A. Simple:

The issuing of any order, verbal or written, which is unreasonable or in violation of any rule, regulation, law, or procedure of the city. (Level 1-4)

B. Gross:

The issuing of any order, verbal or written, which is immoral, illegal, or a violation of any federal or state law or municipal ordinance. (Level 4-5)

5.0 POLITICAL OR RELIGIOUS ACTIVITIES

- A. All employees are prohibited from using their position to interfere with or influence any election. An employee may campaign or engage in political activities; however, they must do so while off-duty and out of City-affiliated attire. Employees are prohibited from using any City property in or for political activities. Employees are expressly prohibited from engaging in any political activity while in uniform, using City vehicles or property. (Level 1-4)



- B. Employees are prohibited from appearing in any political commercial, brochure, or advertisement while in uniform or while otherwise displaying any item, article, or logo that identifies a person as an employee of the City of Mobile. These items include but are not limited to uniforms, city identification, City logos, and departmental patches. (Level 4-5)
- C. Employees shall not require subordinates to render any political service or solicit any assessments, contributions, or services for political purposes from any other employee or from any other person while on duty. (Level 4-5)

6.0 COOPERATION WITH INTERNAL INVESTIGATIONS

All employees are required to cooperate with all internal investigations, OPR investigations, disciplinary hearings, or any other city proceedings. Employees must not:

- A. Take any actions to obstruct, hinder or impede any investigation. (Level 1-5)
- B. Knowingly conceal or misrepresent material facts relating to the subject matter of any investigation. (Level 4-5)
- C. Knowingly make any false statements, oral, written, implied, or otherwise during any investigation. (Level 4-5)

Recommended by: Robert Lasky Director of Office of Professional Responsibility Date: 5/9/2022	
Reviewed by: James H. Barber Chief of Staff Date: 5/9/2022	Approved by: William S. Stimpson Mayor Date: 5/9/2022