

STRIVE Policy Version 3

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Ethics and STRIVE Policy (2024 update)

In 2020 and 2021 city department heads worked to create a framework of expectations for all staff, including those with more senior positions within the organization. Additionally, an ongoing Council goal has been to create an operational culture focused on customer service. It is incumbent upon city leadership to live up to these values, and they are committed to doing so. City leadership will embody the standards it sets for all staff. The initial version of this policy was the first thing that was accomplished after the leadership transition at the end of 2021.

As part of the ongoing work around our STRIVE values, this document lays out mechanisms to reinforce our customer service and ethical standards with clarity. This document is a companion to the staff handbook 2024 edition. It continues to serve as a constant daily reminder of our shared commitment to STRIVE and high ethical values.

STRIVE Committee Composition

A committee called the STRIVE committee exists within the city of Newberg. Its membership shall consist of the following positions within the city organization:

- A Police Captain.
- The second most senior member of the Finance department.
- The second most senior member of the Library department.
- The second most senior staff member within Public Works
(usually the maintenance superintendent due to staffing levels).
- The second most senior staff member within the Community Development team
(due to availability this will be the Planning Manager until further notice).
- The current City Manager (occasionally, and only for the first part of the meeting).

Department heads shall not attend the meetings and the City Manager will only occasionally attend the first part of the meeting. The committee will only have one official office bearer, the

chair of the committee. Periodically the committee may select a different chair by general consensus.

STRIVE Committee Operations

The STRIVE committee will meet quarterly on a Thursday or Friday at a time to be arranged by the current chair. This will also serve as an opportunity for departments to work together more closely.

The STRIVE committee will first review nominations for current STRIVE awards as submitted by any staff member for the preceding few months. These will come via an email nomination address created for this purpose - strive@newbergoregon.gov. The City Manager may sit in on this portion of the meeting to hear the results of nominations or pass on relevant information. The committee will share the names of the award recipients with the City Manager, and Community Engagement staff for inclusion on web pages and other media. This will either occur at the meeting (if the City Manager is present) or after the meeting if the City Manager is not present. If the City Manager attends the meeting, they will then recuse themselves from the balance of the meeting.

Ethics Violations Defined

The second part of the meeting will consider any report of dishonest or unethical practices that involve senior city staff. City senior staff is defined as the City Manager, the City Attorney, the City Manager's direct reports, the head of HR, and the appointed Judge of the City of Newberg.

An ethics violation is defined as a plausible violation of the employee handbook in one of the following areas:

Sexual harassment, improper hiring practices where applicable (see city hiring policy), harassment, discrimination against a protected class, and/or a violation of any law. See City of Newberg Personnel manual (in particular see p.11 – 17) for definitions and further details.

The STRIVE committee will limit its deliberations (if any are required) to allegations against the City Manager, the City Attorney, the City Manager's direct reports, the head of HR, and the appointed Judge of the city of Newberg. Actions of more junior staff members will not be discussed and should be referred to HR. As senior staff, the city of Newberg can rely upon the wisdom and judgement of the STRIVE committee members in assessing if a complaint is credible, utilizing their experience in municipal management and common sense, within the narrow scope of this policy.

If a majority of the STRIVE committee members agree that one of the ethics violations listed above may have occurred, the chair of the STRIVE committee will carry out the following steps:

A report will generally be sent to the head of HR and the Mayor by the chair of the STRIVE committee (unless the report concerns the direct reports of City Council or the head of HR). The STRIVE committee will not investigate the matter themselves nor shall they take any further action, their role is simply to ensure that the matter is reported rapidly if it involves the listed senior staff. A different procedure will be used for the direct appointees of the City Council or a report about the head of HR. See the relevant sections below.

No accusation will be acted upon unless the accusation is in writing and delivered or transmitted by the named accuser, not a third party. All such cases will be promptly investigated (as directed by the Mayor and the head of HR).

Investigations will begin promptly after a written complaint has been submitted and should be concluded within two months of receipt of the original complaint if possible. To avoid possible retaliation claims any and all misconduct information received by the STRIVE committee will be held in complete confidence by the committee members and will not be discussed with any person after the meeting concludes. The STRIVE committee's role is to pass on credible reports, not to investigate or provide opinions on their content, or the veracity of the allegations they may contain. In all cases, any credible report will be investigated by a professional outside

investigator selected by the Mayor and the head of HR jointly (with a private investigator license in accordance with Oregon law), unless the report is about the head of HR.

A formal written investigation report will be provided to the complainant and the accused in all instances.

Direct Appointees of City Council - Special Procedure

If allegations involve:

- The Municipal Judge
- The City Manager
- The City Attorney

The initial report will go to the head of HR and the entire Council simultaneously. If the report is credible, the head of HR and the Council will initiate an investigation using a professional outside investigator selected by the Mayor and the head of HR jointly (with a private investigator license in accordance with Oregon law).

Special Procedure – the Head of HR

If allegations involve:

- The Head of HR

The initial report will go to the entire Council simultaneously. If the report is credible the Council will initiate an investigation using a professional outside investigator selected by the Mayor and the Council President jointly (with a private investigator's license in accordance with Oregon law). The Council may choose to refer the matter to the City Attorney's office for investigation. If the head of HR is involved but not the City Manager, the City Manager will also be informed as a courtesy. If the head of HR is involved and the Mayor and Councilors have any uncertainty about selecting an outside investigator, the advice of the Chief of Police can be sought to help locate a suitably credentialed firm.

Additional City Council Options

The City Council can also seek the advice of the City Attorney (if they are not part of the allegation) on legal matters. The City Council can also seek the advice of an independent accounting specialist or law enforcement if the matter is fiscal, involves a potential violation of the law or appears to involve fraud. This advisory information will be sought out once Council has had a chance to decide on the right course of action.

STRIVE Committee Awareness

In January of every year, the City Manager will remind all staff about the functions and purpose of the STRIVE Committee via an all-staff email. The City Manager will also annually give a presentation to the Council on the role of the STRIVE Committee, and their part in the process.

Dissolution of the STRIVE Committee

The STRIVE committee **may not** be dissolved without the majority approval of the City Council of the City of Newberg. The chair of the STRIVE committee has the duty to inform the Mayor and City Council should a senior member of staff including the City Manager attempt to dissolve the STRIVE committee or prevent it from meeting.