

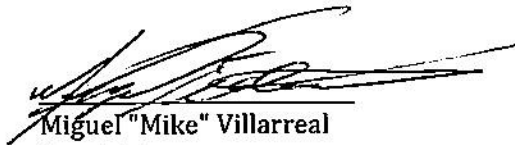
## **Webb County Constable Pct. 2**

### **Internal Ethics and Code of Conduct Compliance Program & Policy**

1. Webb County Constable of Pct. 2, or designated supervisor shall be charged with the monitoring within the department respectively and will take appropriate action in response to compliance related issues. Webb County Constable of Pct. 2, or designated supervisor and the Webb County Auditor's Department are responsible for oversight of the entity's internal ethics and code of conduct compliance program and policy, to enhance and promote an organizational culture that encourages ethical conduct and a commitment to compliance with all applicable laws and regulations.
2. Webb County Constable Pct. 2 or designated supervisor shall take possible steps to avoid the delegation of substantial discretionary authorities to individuals whom should know or should know have engaged in illegal activities. The Department shall conduct, an appropriate criminal background checks, application disclosures, affirmative statements, federal/state debarment for current and future employees that will have substantial discretionary authority and are involved in the handling of financial and/or highly confidential information.
3. All employees shall be provided with and must familiarize themselves with the entity's internal ethics and code of conduct compliance program and policy. Appropriate steps will be taken by Webb County Constable Pct. 2 to ensure that compliance standards are effectively communicated to all employees by requiring participation in annual training of ethics and the components of the organizations internal ethics and code of conduct compliance program and policy. Training will be held during Department orientation and annually thereafter.
4. Webb County Constable Pct. 2 shall also notify and provide a copy of the entity's internal ethics and code of conduct compliance program and policy to all agents it does business with along with the expectations of its ethical behavior and compliance via either distribution of written materials, electronic, and/or verbal communication.
5. (a). Webb County Constable through the Webb County Auditor's Department will conduct an audits after the grants completion. An annual Monitoring plan to assess and review the departments internal ethics and code of conduct compliance program and policy in order to monitor compliance thereof and/ or assist in the reduction of identified problem areas.

(b). Its employees are required to immediately report any suspicion of non-compliance with the departments internal ethics and code of conduct compliance program and policy, or any unlawful or unethical behavior violations to the Constable, a Supervisor, Webb County Auditors and/or by and through the Webb County Human Resources Department, at webbcountytx.gov. The entity's goal is to identify and address incidents of misconduct in an expeditious manner by encouraging employees to spot and report potential compliance issues to management. Employees who report suspected non-compliance with law or unethical behavior can do so without fear of retaliation.

6. Any employee who violates the Webb County Constable Pct. 2 internal ethics and code of conduct compliance program and policy shall be subject to disciplinary action up to termination, as well as applicable civil or criminal penalties. The Constable, or an assigned supervisor shall be responsible for periodically assessing and monitoring employee compliance with the entity's internal ethics and code of conduct compliance program and policy and the risk of criminal misconduct within the department through control policy and procedures.
7. The Constable, or an assigned supervisor will be primarily responsible for responding to evidence of non-compliance and taking appropriate action to prevent future non-compliance issues.



Miguel "Mike" Villarreal  
Constable  
Webb County Constable Pct. 2  
Dated: May 7, 2019

## **Webb County Constable Pct. 2** **Code Of Conduct Policy**

### **Introduction:**

This policy prescribes the standards of ethical conduct for all employees of Webb County Constable Pct. 2. All employees must familiarize themselves with this policy. All employees must abide by applicable federal and state laws, administrative rules, and this ethics policy. An employee who violates any provision of this conduct policy is subject to disciplinary action up to and including termination. An employee who violates any applicable federal or state law or rule may be subject to civil or criminal penalties in addition to any disciplinary actions.

Every employee shall perform their duties in a lawful, professional and ethical manner; responsible stewardship of department resources, and report any conduct or activity that they believe to be in violation of this policy. Employees shall not make false or misleading statements, oral or written. Employees shall not disclose confidential or sensitive department business information without prior authorization.

### **1. Record Retention**

Webb County Constable Pct. 2 is committed to proper maintenance and retention of records. Records are defined broadly to include almost all type of business information, and the required retention period varies with the type of records. Falsifying records, deliberately concealing records, destroying records in bad faith, exploiting confidential information, or otherwise mishandling records is not acceptable and any employee found in violation thereof may be subject to civil or criminal penalties in addition to any disciplinary actions.

Records management includes the application of administrative techniques to the creation, use, maintenance, retention, preservation and disposal of records for the purpose of reducing the cost and improving the efficiency of record keeping. Webb County Constable Pct. 2 will follow the standards contained in Webb County Records Retention Policy.

When an open record request and/or lawsuit is filed or is anticipated to be filed against Webb County Constable Pct. 2, or when an internal or governmental investigation is initiated, the entity shall ensure that all information potentially relevant to the suit or investigation is made available, collected and preserved. Records will not be altered, concealed, or in any way destroyed that are potentially

relevant to a suit or investigation. Appropriate steps will be taken to ensure potential relevant information is not inadvertently destroyed pursuant to documentation retention housekeeping, or by having routine computer back-up.

The Constable or an assigned supervisor will be primarily responsible for responding to evidence of non-compliance with this records retention policy and/or taking any appropriate action to prevent future non-compliance issues with any and all provisions of the Code of Conduct Policy.

**2. Fraud**

Fraud is broadly defined, and may include any type of intentional deception for the purpose of personal or business gain or damage to an individual or organization. Fraud may include but not limited to; lying on an employment application, falsifying records, or providing false receipts for reimbursement from the department.

Employees must be good stewards of resources entrusted to them and exercise due diligence to prevent and detect criminal conduct and non-compliance with laws and policies. Fraud, waste, abuse, or non-compliance must be reported to an appropriate supervisor, manager. Engaging in acts of fraud may result in civil or criminal liability, in addition to any disciplinary action.

**3. Equal Opportunity Employment**

Webb County Constable Pct. 2 utilizes an Equal Opportunity Employment Policy, which promotes and ensures equal employment opportunity for all persons regardless of race, color, disability, religion, national origin, or age.

**4. Sexual Harassment and Sexual Misconduct**

Webb County Constable Pct. 2 Sexual Harassment and/or Sexual Misconduct Policy does not tolerate any form of sexual harassment and/or sexual misconduct in the workplace.

Sexual harassment may include sexual advances, sexual solicitation, request for sexual favors, or other verbal or physical conduct of a sexual nature.

Sexual misconduct is also not permitted. All employees will treat one another and the general public with professionalism, respect, and fairness. Employees must conduct themselves with courtesy and restraint at all times on the job and whenever representing our agency.

If an employee believes they are being subject to sexual harassment or sexual misconduct by any person in the workplace, or if they witness any incident that appears to be a violation of the sexual harassment and sexual misconduct policies, it must be reported to an appropriate supervisor/manager.

If the subject of the complaint "is" the Constable, or any supervisor/manager the complaint shall then be forwarded and directed to the Webb County Human Resources Department Director. A full, complete, and confidential investigation will be conducted and appropriate action will be taken to correct the matter. Employees who report sexual harassment are protected from any form of retaliation by state and federal laws.

Supervisors or managers who receive reports of sexual harassment or sexual misconduct must report the complaints to the Constable or Chief Deputy and the Webb County Human Resources Department Director regardless of the form of the complaint (formal or informal). All supervisors and managers must keep accurate records of complaints or misconduct. Ignoring a report of sexual harassment or misconduct is unacceptable.

Importantly, if someone violates any such sexual harassment or sexual misconduct code of conduct and/or applicable laws, they may face civil and or criminal charges resulting in monetary fines or even jail time, in addition to any disciplinary actions.

**5. Conflict of interest**

Conflict of interest is a situation in which one private interest, this may stem from financial interest. It may raise reasonable questions of conflict with their job related duties and responsibilities. Importantly, if someone violates a conflict law, they face civil and or criminal charges resulting in monetary fines or even jail time, in addition to any disciplinary actions.

Employee(s) shall not:

- Engage in any activity that would create a conflict of interest or even the appearance of a conflict.
- Make personal investments in any enterprise that would create a conflict between the employee's private interest and Webb County Constable Pct. 2, or Webb County.
- Engage in outside business or professional activities or accept employment if the activities create a conflict between the employee's private interest and Webb County Constable Pct. 2, or Webb County.

Local public officials (including members of advisory boards, governing bodies, and other officials, whether elected, appointed, unpaid, of any district including a transit authority or district), as well as certain other employees involved with contracting, are subject to conflict of interest provisions found in Chapter 171 of the Texas Local Government Code. Chapter 171 establishes the standard for determining when a local public official has a conflict of interest that would affect their ability to discuss, decide, or vote on a particular item. Other state and federal laws may be applicable to officials and employees in particular situations.

**6. Personal use of Organization's Property**

Property owned or leased by or provided to Webb County Constable Pct. 2 or Webb County may only be used for official purposes as authorized by the Webb County Commissioners Court. Any misuse or unauthorized use of Webb County Constable Pct. 2 property, including information system resource, is subject to disciplinary action. Misuse of official property may also result in criminal prosecution, in addition to any disciplinary actions.

**7. Gifts and Honoraria**

Employees of Webb County Constable Pct. 2 should always consider if it is appropriate to accept something from someone who wants, or may want, or may be seen to want, an official favor within their authority. It is unethical to accept or give a gift that is meant to sway a decision in favor of the person(s) giving the gift.

Under Texas Local Government Code Chapter 176, a local government officer must disclose a vendor's gift to the officer or the officer's family member worth \$100.00 or more.