



Missouri Department of Labor and Industrial Relations
ADMINISTRATIVE POLICY MANUAL



POLICY TITLE CODE OF CONDUCT		
POLICY ID: B07-28500		AUTHORIZED BY: Ryan McKenna
ISSUED: August 7, 2013	REVISED: January 16, 2015	PAGE: 1 of 5

General Statement

The Department of Labor and Industrial Relations' employees shall comply with Executive Order 92-04 and the Office of Administration's statewide Employee Code of Conduct policy.

This code, as it applies to all department employees, is as follows:

1. Employees shall conduct the business of state government in a manner which inspires public confidence and trust. Employees shall:
 - A. Avoid any interest or activity which improperly influences, or gives the appearance of improperly influencing, the conduct of their official duties.
 - B. Act impartially and neither dispense nor accept special favors or privileges which might be construed to improperly influence the performance of their official duties.
 - C. Not allow political participation or affiliation to improperly influence the performance of their duties to the public.
 - D. Not engage in business with state government, hold financial interests, or engage in outside employment when such actions are inconsistent with the conscientious performance of their official duties.
 - E. Not use or improperly possess an illegal controlled substance or alcohol in the workplace or during working hours.
 - F. Be expected to comply with the statutes of Missouri at all times.
2. Employees shall conduct themselves in scrupulous compliance with applicable federal, state, and local law. Employees shall:
 - A. Observe all conflict of interest provisions in law applicable to their agencies and positions of employment.
 - B. Adhere to all laws providing equal opportunity to all citizens.
 - C. Perform their responsibilities as they are specified in law or other authority establishing those responsibilities.



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3. Financial compensation of state employment consists of only authorized salaries and fringe benefits. Employees shall not:
 - A. Use their public positions in a manner designed to create personal gain.
 - B. Disclose confidential information gained by reason of their public positions, nor shall employees use such information for personal gain or benefit.
 - C. Directly or indirectly attempt to influence agency decisions in matters relating to prospective employers with whom employment has been accepted or is being negotiated.
4. Department employees owe the public the diligent application of their knowledge, skills, and abilities for which they are compensated. Employees shall:
 - A. Not perform outside employment or other activities not appropriate during hours compensated for state employment and will use leave and other benefits provided by the State only for the purposes intended.
 - B. Carry out all lawful instructions of designated supervisors, and will report instructions not consistent with law to the proper authorities.
5. Equipment, material, and supplies purchased with public funds are intended for the performance of public purposes only. Employees shall:
 - A. Use and maintain state equipment, materials, and supplies in an efficient manner which will conserve future usefulness.
 - B. Use state equipment, materials, and supplies solely for purposes related to the performance of state business.
6. The work of state government will be conducted with respect, concern, and courtesy toward clients, co-workers, and the general public. Employees shall:
 - A. Approach their duties with a positive attitude and constructively support open communication, dedication, and compassion.
 - B. Conduct their duties with courtesy toward clients, co-workers, patients, inmates, and the general public, recognizing the diverse background, characteristics, and beliefs of all those with whom they conduct state business.



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- C. Not engage in any form of illegal harassment or discrimination in the workplace, including on the basis of race, color, religion, national origin, ancestry, sex, age, or disability.
- D. Not seek, in connection with the performance of their duties, sexual favors from a client, co-worker, patient, inmate, or member of the public.
- 7. This code shall provide guidance to the officials and employees of the department in matters of employment related conduct.
 - A. When questions arise in the application of this code, the public interest will receive primary consideration in any resolution.
 - B. This code is not intended to fully prescribe the proper conduct of employees and the failure to prohibit an employee action in this code does not constitute approval of the action.
 - C. This code is intended as a supplement to the provisions in law which govern employee conduct, and in no instance does it decrease the requirements in law.
 - D. The department director is responsible for promoting and enforcing this code of conduct among the employees of this agency in accordance with agency procedures, and shall supplement it with additional provisions to meet the needs of this agency.
 - E. This code is intended to provide guidance for employment related conduct and is not intended to create any right or benefit enforceable by law.
 - F. No state agency or appointing authority shall discharge, threaten, or otherwise retaliate against an employee for reporting in good faith any violation of this code.
 - G. In applying this code to specific situations, the standard to be used is that of a reasonable person having knowledge of the pertinent circumstances.

Acceptance of Favors, Gifts, or Items of Value

These guidelines have been established to be followed by all department employees regarding the acceptance of money, gifts, and items of value.

Employees shall not solicit or accept, directly or indirectly, on behalf of themselves or any member of their household, any gift, including but not limited to any gratuity, service, favor, food, entertainment, lodging, transportation, loan, loan guarantee, or any other thing of monetary value, from any person or entity that is a Missouri registered lobbyist as defined in section 105.470, RSMo.



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The prohibition on accepting gifts in this section does not apply to:

- A gift given by a member of the employee's immediate family, or by an individual if the gift is given for a non-business purpose and is motivated by a close personal friendship and not by the position of the employee;
- Informational materials in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication, and travel and lodging expenses in connection with a fact finding or educational trip sponsored by a bona fide organization;
- Sample merchandise, promotional items, and appreciation tokens, if they are routinely given to customers, suppliers, or potential customers or suppliers in the ordinary course of business; unsolicited tokens or awards of appreciation, honorary degrees, or bona fide awards in recognition of public service in the form of a plaque, trophy, desk item, wall memento, and similar items (provided that any such item shall not be in a form which can be readily converted to cash); and modest items or tokens given by an organization as a display of that organization's esteem when it would be awkward or rude to refuse, such as t-shirts, ball caps, coffee mugs, or similar items;
- Modest items of food and refreshments, such as soft drinks, coffee or donuts, offered other than as part of a meal;
- Meals or refreshments at meetings or conferences where the state or the employee has paid a fee for attendance. An employee may accept meals or refreshments provided to all attendees at meetings, promotional gatherings, training sessions, or gatherings of public interest. An employee should not otherwise accept meals or refreshments of significant value paid for or provided by vendors or others, unless to refuse would be socially awkward, in which case the employee may accept the meal or refreshment but must report the acceptance to his/her division director;
- Loans from established financial institutions made in the ordinary course of business on usual and customary terms, so long as there are no guarantees or collateral provided by any person described in this section; and
- Anything for which fair market value is paid by the employee.

An employee does not violate this section if:

- The employee did not know that the gift was paid for by a Missouri registered lobbyist and the employee takes reasonable remedial action, including but not limited to returning the gift, paying market value for the gift, or donating the gift to a nonprofit or charitable organization; or



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- The employee did not actually receive a gift that was erroneously reported on a lobbyist report filed with the Missouri Ethics Commission. In a case where an erroneous lobbyist report is filed, the employee should take appropriate steps to ensure that a correction in the report is made.

Sensitive Information

Employees should be aware that correspondence, forms, computer printed reports, and other material they use or have access to during the performance of their job duties may include Social Security numbers, birth dates, or other sensitive information of the general public and/or employees. Any material containing confidential information should be treated in an appropriate manner that will protect the confidentiality of our clients and employees.

Correspondence, forms, computer printed reports, or any other material containing Social Security numbers, birth dates, or other sensitive information should ultimately be filed in a secure location or shredded.

Unemployment Insurance Claims

The department's policy concerning the handling of all unemployment insurance claims is as follows:

A department employee is not to participate in any aspect of claims processing or the adjudication process in which he or she is a relative or close associate of any interested person or party. The department interprets a close associate as a person who, by the nature of his or her relationship with the employee, might expect special consideration or treatment in certain situations. These include situations in which any determination or action might raise questions regarding the impartiality of the department employee.

State Income Taxes

State employees are required to file all state income tax returns and pay all state income taxes owed as a condition of state employment.

Each year, the department director is responsible for checking every employee against a database at the Department of Revenue to confirm a state income tax return has been filed and any taxes owed are paid in full. Any employees not in compliance with the law will be notified and given 45 days to either pay the taxes owed or provide a copy of a payment plan approved by the director of the Department of Revenue. Failure to pay state income taxes owed or provide a copy of a payment plan within 45 days will result in immediate dismissal from employment by the state.