

CODE OF ETHICS FOR ELECTED MUNICIPAL OFFICIALS AND EMPLOYEES

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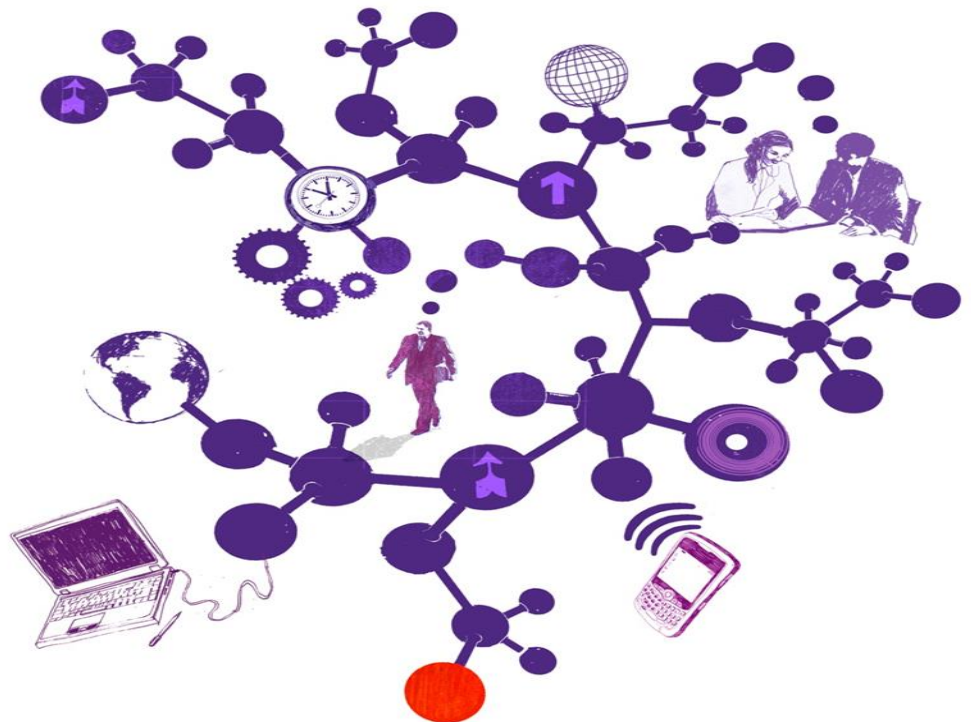


Table of contents

	Page
PREAMBLE	2
CHAPTER I GENERAL PROVISIONS	3
CHAPTER II RULES OF ETHICS FOR THE ELECTED	4
CHAPTER III RULES OF ETHICS FOR EMPLOYEES	6

PREAMBLE

The main objective of the activities of the municipality is the protection of public interest and the legitimate interests of individuals and legal entities by providing services to the community under the applicable legislation and regulations in force, through work carried out with passion, fairness and professionalism.

Elected municipal officials and employees while exercising their functions and duties should demonstrate professional dedication , high standards of accountability and proper observance of the laws and regulations in order to maintain and strengthen public confidence . Public trust and support can be achieved by maintaining a consistent high performance in all areas of activity.

To fulfill this mission, this Code is drafted, which embodies ethical values related to elected municipality officials and employees' behavior during their activities.

The Code does not provide answers to all situations or ethical dilemmas that may occur in practice. It aims to promote appropriate responses to these situations by elected and municipal officials and employees based on ethical principles and main directives outlined in the Code. It also represents a clear commitment of the municipality to carry out the duties related to its functions in a higher professional level in respect of its mission's activity.

CHAPTER I GENERAL PROVISIONS

Article 1: Purpose and scope

The purpose of this Code of Ethics is to promote rules of conduct and professional ethics for municipal officials during and outside the exertion of their functioning powers in accordance with the laws and regulations in force and the rules of ethics in public administration.

Article 2: Legal basis

This code is compiled pursuant to Law no. 139/2015 "On local self-governance", regulations issued for its implementation, the Law Nr . 9131 , dated 8.9.2003 " On the Rules of Ethics in Public Administration " and Law no. 9367 , dated 7.4.2005 , " On the prevention of conflicts of interest in exercising public functions " as amended .

Article 3: Scope of application ratione personae

1. The rules set forth in this Code shall apply to all and by all elected and municipal officials and employees, during and outside the exercise of their functions. Wherever the term "employee " is mentioned, it shall mean employees at all levels of the municipality are included.
2. The rules provided in this Code shall apply to all and by all third persons, physical or legal entities and their employees, who are contracted and work with the municipality under the relevant contracts or by legal provisions in force.

Article 4: Scope of application ratione materie

3. Code rules impose obligations not only to elected and employees or third parties, but also to the municipality itself which must be committed to the promotion, recognition, appropriate understanding and correct application of ethical rules .
4. Code rules impose obligations on all municipalities and their official's relations with the public, relations between the municipality and its employees, as well as relations between municipal employees themselves, if they are not regulated by other specific legislation.

CHAPTER II RULES OF ETHICS FOR THE ELECTED

Article 5: General principles

The Mayor and Councilors during their term shall:

- a. act in the interests of the community in general and in the interest of the community under the jurisdiction of the municipality in particular;
- b. rigorously implement the Constitution , laws and the provisions of this Code , and act in the interest of the voters;
- c. comply with the rights and obligations that derive from holding the status of mayor or councilor;
- d. act in accordance with the public interest
- e. be guided by the principles of integrity , objectivity , transparency and accountability in order to increase public confidence in the activities of the municipality ;
- f. not act to the detriment of a person or organization and show proper respect for personal rights and interests of third parties;
- g. not allow his private interests to conflict with his public position , avoid conflict of interest and not use his position for personal interest ;
- h. preserve the confidentiality of the information on his possession, without prejudice to the obligations deriving from the legislation in force .

Article 6: Gifts and other similar benefits

1. The Mayor or member of the municipal council may not solicit or receive, directly or indirectly gifts , favors, promises or preferential treatments which are given because of his position , by an individual, legal person or private entity

2. The elected to whom gifts, favors, promises or preferential treatment are offered should refuse them and , if the offer was made without their knowledge, they should return it to the offeror or submit it officially to the Finance and Budget Service , which will then use it for the activity of the municipality ;
3. If the provision of goods as mentioned above constitutes a criminal offense it should be conveyed to the competent authorities for prosecution.
4. Gifts that possess artistic or historical shall be delivered to the specialized institutions
5. Gifts received by relatives or close friends to the officials when it is clear that the present is not related to the officials position are not considered as Gifts by the terms of this Code..

Article 7: Council's meetings Rules

The elected shall not express himself improperly and use offensive words in the Council's meetings, hinder or undermine the rule of the procedures of the meeting, threaten or offend other councilors, the Mayor or other state high officials , take action or personal attacks against any other councilor and trigger the use violence during the Council's meetings.

CHAPTER III RULES OF ETHICS FOR EMPLOYEES

Article 8: Legitimacy

1. Municipal civil servants strictly apply all the rules and procedures deriving from the legislation for civil servants, as well as other legislation in force.
2. Municipal employees who are not civil servants, meet all the obligations arising from the employment contract, the Labour Code and regulations for its implementation, as well as the rules and procedures of other legislation in force.
3. All civil servants and other municipal employees comply strictly with the provisions of the Rules of organization and functioning of the municipality.

Article 9: Objectivity, Fairness and Justice

1. Municipal employees must treat with respect and objectivity all individuals or third party entities by respecting their rights and obligations in accordance with the law .
2. All individuals or third party entities are treated equally , under the same standards, thus preventing any discriminatory attitude and avoiding vague and doubtful behaviour . The employee must avoid any discrimination based on nationality , gender, race , ethnic or social origin , genetic characteristic , language , religion or belief , political or other orientation , membership of a national minority, property , birth , disability , age or sexual orientation .
3. The behavior of municipal employees is not guided by personal or family interests, national or political pressure . They do not take part in any decision which themselves or immediate family members have interests , including financial interests .
4. Municipal Employees should be based on the legal basis for the collection, evaluation , judgment and processing information and data relating to the exercise of municipal functions . They are not influenced by personal interests or others in formulating their positions or decisions during or at the conclusion of the examination of a particular issue

Article 10: Proportionality

1. When on duty, municipal employees ensure that the measures taken are proportionate to achieving the goal. Employee must especially avoid restricting the rights of individuals or third

parties or imposing on them when these restrictions or charges are not reasonably related to the purpose of the action pursued.

2. Municipal employees through their actions respect the fair balance between the interests of private persons and the public interest.

Article 11: Non-abuse with power

Employees exercise power only for the purposes outlined in the relevant legal provisions. Municipal employee avoids the use of power for purposes which have no legal basis or are not motivated by any public interest.

Article 12 Knowledge and competences

1. Municipal employees improve and deepen their knowledge on an ongoing basis to increase their capacity and professional skills in order to improve the service to the community .
2. Municipal employees carry out their duties with dedication , honesty , and responsibility , in conformity with the laws in force .
3. Participation in professional activities aimed at increasing knowledge, skills and professional capacity is an important requirement and the subject of performance evaluation at work
4. Municipal employees undergo periodic evaluation under applicable law . Professional skills and gained experience should benefit the quality of work.
5. Municipal employees follow the law and perform their duties in accordance with the legislation in force thus facilitating the implementation of municipal and other public authorities' policies.
6. Municipal employees comply with hierarchical relationships with superiors , subordinates and peers of the same hierarchical level , in order to achieve common goals and objectives and to maintain correct relations with individuals or other entities .

Article 13: Accountability and Integrity

Municipal employees reflect a high standard of personal and professional integrity in the exercise of their functions , applying with responsibility only the activities envisaged in the relevant legal framework , to ensure that the process is conducted in a transparent and accountable manner

Municipal employees use authority in a responsible and fair manner , respecting the rights of other entities and individuals .

Municipal employees, in the performance of their duties, make best efforts to implement their professional skills based on relevant experience.

Article 14 Preservation of information and communication with the public

1. Every employee of the municipality that comes across personal and confidential data should only use them if needed to perform functional tasks.
2. Municipal employees must guarantee the protection of information and not make it public without authorization , unless there is legal obligation to do so. They retain the information collected on active duty and should not use it for personal gain, in violation of the law and the rules of ethics .
3. In addition to the obligation of maintaining confidentiality, every employee of the municipality take measures to prevent and protect the flow of information . Information and sensitive and

confidential data is not left unprotected and necessary measures must be adopted to respect the legal obligations for non - issuance or disclosure of confidential information.

4. Every employee of the municipality enjoys freedom of personal opinion, but must respect the confidentiality attitudes or declarations of print and electronic media while exercising their function.
5. Municipal employees must not make inappropriate public comments on policies and programs of the municipality, personal statements or opinions that could be interpreted as official.

Article 15 Electronic mail

1. All employees of the municipality in order to fulfil their tasks need to use computer resources of the municipality and are provided with an individual email address.
2. Official email address should be used only in view of their duties. It is prohibited to use it for private purposes or the use of private addresses for official purposes.
3. Communication via email has the same value as a written or verbal communication; therefore all communications should be developed in a serious and professional manner.
4. Official communications by electronic mail must contain a clear description of the subject of communication in order for the subject only to convey the purpose and importance of the communication
5. Communication via the official e-mail address should begin with the words "Dear Mr / Ms" and end with the words " Best Regards " or " Many thanks " followed by electronic signature
6. Electronic signature of the employee must include name and surname , position and organizational unit of the municipality , phone number , email address and the official name of the municipality with its mailing address .

Article 16 Good conduct

1. An employee of the municipality must be open-minded, correct, courteous and accessible with the public. When he answers the correspondence, telephone calls and electronic mail, the employee should try to be helpful and provide answers as complete and accurate as possible.
2. If the employee does not have competences to address the issue in question , he should direct the individual / entity in the other relevant offices .
3. If an error occurs that harms the rights or interests of individuals or entities , the employee must apologize for it and endeavor to correct the negative effects resulting from the error in the most appropriate manner , and to inform the third party on their right of appeal .

Article 17: Respect of workplace environment

1. Municipal employees shall have a good behavior in all circumstances , in the exercise of their functions.
2. Employees shall respect and implement effective work schedule. Day-offs should be associated with reasonable justification .
3. Employees shall not consume alcoholic beverages and shall not smoke in the workplace .

4. Employees have the right to exercise their activity in healthy and safe environments. They must strictly apply the rules dealing with issues of security and must report immediately to the direct superior on any health and safety problem.
5. Employees should not use material or financial means of the municipality for purposes or personal use.

Article 18: Dress code

1. Municipal employees should reflect decency professionalism while on duty
2. For this purpose clothing that is ripped, stained or wrinkled is not permitted. In addition, clothing that contains phrases, expressions or images that may result offensive to other employees, visitors or the public are not allowed.
3. Male employees in leadership positions must appear at work in a suit, shirt and tie. Other male employees should also have a formal apparel
4. Female employees must show up at work with skirts or dresses of an acceptable length, avoid high heels and low-cut blouses or shirts.
5. Casual outfit is only allowed on Fridays
6. All employees of the municipality should take care of personal hygiene and ensure that their external appearance reflects the formality of the institution.

Article 19 Employment relationship

1. Municipal employees cannot enter in other employment relationships, whether remunerated or not , in public entities , private and non-profit , except for teaching and participating as a lecturer in various activities , as defined in applicable legislation .
2. In each case the employee shall officially notify the direct supervisor and human resources unit for conducting external activities, making a brief description of the activity.
3. In the event of a suspicious activity where the employee intends to take part ,that is contrary to the abovementioned criteria , he must consult with human resources unit , which monitors the implementation of ethical relations , before taking part in that activity.

Article 20: Conflict of interest¹

1. Municipal employees must acknowledge and apply correctly the legal obligations related to the prevention of conflicts of interest in the exercise of their duties . They must guarantee the protection of the public interest in all their activities , avoiding any behavior that might compromise the integrity and public confidence
2. To avoid conflicts of interest and the risk of using wrongful information, employees should consult management staff
3. Municipal employees cannot own any shares or parts of capital in commercial companies that are contracted, licensed or allowed by the municipality to carry out activities in service of the municipality.
4. If during their duties the employee notices that he carries direct or indirect interest on the entities involved with the municipality, he must declare the nature of the relationship to the direct supervisor

5. Seeking and accepting any recompensation due to the nature of the job is unacceptable and constitutes a reason for beginning disciplinary and legal proceedings
6. Municipal employees are obliged to comply with any other requirement under the relevant provisions of Law no . 9367, dated 07.04.2005 , " On the prevention of conflicts of interest in exercising public functions " as amended .

¹ <http://www.hidaa.gov.al/formulare-deklarimi/>

Article 21: Gifts, favours and other benefits

1. It is prohibited to solicit or accept of gifts, favors, any other benefit or promises of avoidance of potential losses, as well as promises to yourself, family, relatives, persons or organizations with which the employee has a relation which affects or appears to affect the impartiality performance of duty and are or seem to be rewards for the performance of official duty.
2. In the case when different citizens tend to corrupt an employee of the municipality with money, objects or by other means, he must immediately notify his immediate superior and the latter must notify the Mayor, as well as undergo charges in the competent state authorities.
3. If an employee of the municipality becomes aware of an event of bribing or attempting to bribe an employee of another institution , he must immediately notify his immediate superior and the latter must notify the Mayor, as well as undergo charges in the competent state authorities
4. An employee shall not exploit an official position by offering favors to other employees or cover illegal and irregular actions of other employees
5. The employees cannot make private promises on behalf of the municipality to persons who they are related to because of duty.

Article 22: Activities out of the scope of the job

1. All employees are prohibited from making political propaganda during working hours .
2. Employees are prohibited to distribute propaganda materials in the work environment , to hold signs of political parties or organizations , to use working facilities for political activity during working hours and discussion on political issues and participation in political events during working

Article 23 Application of Code of ethics

All municipal employees are obliged to familiarize themselves with the content and enforced ethical rules set out in this code.

Behaviors that are not mentioned in the articles of this Code may still be considered a violation of ethics rules if deemed to affect public confidence and reputation of the municipality.

Copies of the code are available to all organizational units of the municipality

Article 24 Disciplinary accountability

Disregard of the provisions of this regulation brings disciplinary action under the respective legislation in force in the Republic of Albania.



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