

**AN ACT OF LEGISLATURE PRESCRIBING
A NATIONAL CODE OF CONDUCT
FOR ALL PUBLIC OFFICIALS AND EMPLOYEES
OF THE GOVERNMENT OF THE REPUBLIC OF LIBERIA**

PART I: PRELIMINARY

SECTION I.I: PREAMBLE

Whereas, Chapter 11, Article 90 of the 1986 Constitution of Liberia stipulates the following provisions:

- a) No person, whether elected or appointed to any public office, shall engage in any other activity which shall be against public policy, or constitute conflict of interest.
- b) No person holding public office shall demand and receive any other perquisites, emoluments or benefits, directly or indirectly, on account of any duty required by Government.
- c) The Legislature shall, in pursuance of the above provision, prescribe a Code of Conduct for all public officials and employees; stipulating the acts which constitute conflict of interest or are against public policy, and the penalties for violation thereof.

Whereas, the essence of governance is the integrity of the public service, as delivered and rendered by Public Officials and Employees of Government; and since their activities account for a majority of the work of government and have extensive influence over the lives of the people;

Whereas, in view of the role and influence of Public Officials and Employees of Government, it is expected that these persons exhibit high moral character and integrity; be law-abiding and committed persons who show proper care for public assets, behave ethically and discharge his or her duties and responsibilities impartially, efficiently and effectively with diligence and dignity;

Whereas, the high degree of integrity expected of Public Officials and Employees of Government is outlined in Article 90(c) of the 1986 Constitution of the Republic of Liberia, which provides that “The Legislature shall, in pursuance of the above provision, prescribe a Code of Conduct for all public officials and employees, stipulating the acts which constitute conflict of interest or are against public policy, and the penalties for violation thereof.”;

Whereas, this Code of Conduct has been developed pursuant to both this constitutional requirement and the tenets of “Good Governance” for the creation of a diligent and disciplined corps of Public Officials and Employees of Government;

Whereas, the purpose of the Code of Conduct is, to set out standards of behavior, and conduct required of Public Officials and Employees of Government, it shall guide, regulate and ensure

compliance with the norms and behaviors required of all Public Officials and Employees of Government. It is designed and shall be implemented, to ensure impartiality, objectivity, transparency, integrity, efficiency and effectiveness in the performance of their duties and mandates.

NOW, THEREFORE, IT IS HEREBY ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF LIBERIA, IN LEGISLATURE ASSEMBLED:

SECTION 1.2 SHORT TITLE

This Act may be cited as the Code of Conduct of 2014.

SECTION 1.3 INTERPRETATION

In this Code, unless the context otherwise requires, the following words and phrases shall have the meaning(s) ascribed to them in this Section.

1.3.1 **Assets:** refer to movable and/or immovable property, including cash and investments.

1.3.2 **Bribery:** means any reward or inducement paid to a Public Official or Employee of Government for doing or forbearing to do anything in respect of any matter or transaction within the scope of their official duties. It is anything promised, offered, given, accepted or received by a Public Official and Employee of Government for or on account of favor given or to be given in the exercise of his or her official duties, and includes what is known widely in local terminology as “cold water” or “eating” .

A person has committed bribery if:

(a) he or she directly or indirectly promises, offers, or gives a benefit or reward to a public official or one who occupies any position of trust in any public or private entity in order that the official, person or entity acts or refrains from acting in the exercise of his or her official duties in violation of the trust reposed in him or her; or

(b) he or she directly or indirectly solicits or accepts any undue advantage for himself or herself or for another person or entity, in order that he or she or the other person or entity acts or refrains from acting in the exercise of his or her official duties, in violation of the trust reposed in him or her by virtue of his or her office.

1.3.3 **Casual Gifts:** any unsolicited present or gift, of a modest scale given to a Public Official or Employee of Government which is not connected to their official duties, which does not exceed US\$200.00 in value. This provision shall not apply to gifts given during cultural and customary celebrations.

1.3.4 **Code:** Means the Code of Conduct for all Public Officials and Employees of the Government of the Republic of Liberia.

1.3.5 **Conduct:** means any behavior, action or inaction exhibited by Public Officials and Government Employees within and outside the work environment.

1.3.6 **Conflict of Interest:** is when a public official, contrary to official obligations and duties to act for the benefit of the public, exploits a relationship for personal benefit.

1.3.7 **Covered Executive Branch Official:** means the President and designated staff of the Office of the President, and the Vice President and designated staff of the Office of the Vice President.

1.3.8 **Covered Legislative Branch Official:** means a member of either House of the Legislature, any employee of, or any other individual functioning in the capacity as an employee in the Legislative Branch. This includes committee members, leadership staff, and administrative staff.

1.3.9 **Employee of Government:** means a person working in Government, whose duty it is to render service under the direction of a Public Official or head of a department.

1.3.10 **Employer:** means the Government of Liberia, any of its agencies and entities, and includes any contractor employed in the service of or on behalf of the Government.

1.3.11 **Ethics:** means moral principles, dealing with values relating to human conduct, with respect to the rightness and wrongness of certain actions and to the rights and wrongs of the motives and ends of such actions.

1.3.12 **Family Member:** means the spouse, biological or adopted children, parents, siblings and members of the household of public officials and employees of government who depend on them for their livelihood.

1.3.13 **Interdiction:** means the temporary stopping of a Public Official and an Employee of Government from exercising the powers and functions of his or her office to pave way for the investigation of a case.

1.3.14 **Lobbying:** The act of positively influencing government leaders to create legislation (s) or conduct activities to help a national cause or objective. People who do lobbying are called lobbyists. The act of lobbying is a part of effective public disclosure of the identity and extent of the efforts of a lobbyist to positively influence the conduct of Governmental action(s), which increase public confidence in the integrity of Government.

1.3.15 **Lobbying Contact:** means any oral or written communication (including an electronic communication) to a Covered Executive Branch Official or a Covered Legislative Branch Official that is made on behalf of a client with regard to assistance in the formulation, modification, or

adoption of any law, legislation, or legislative proposals, and the formulation, modification, or adoption of a rule, regulation, Executive Order, or any other program, policy, or position of the Liberian Government.

1.3.16 **Nepotism**: when a public official appoints, employs, promotes, or recommends for advancement family members in any agency of Government or branch of Government in which he/she works.

1.3.17 **Ombudsman**: means someone or a group of persons appointed or authorized by the President of the Republic of Liberia and confirmed by the Senate to enforce, oversee, monitor and evaluate adherence to the Code of Conduct. Such individual or group of persons shall receive and investigate complaints against Public Officials, Employees of Government and national institutions.

1.3.18 **Professional Code**: means the code that applies to a specific profession in public service.

1.3.19 **Public Office**: means an office used in the service of Government or the people.

1.3.20 **Public Official**: means any elected or appointed person holding a public office, and having duties relating to the sovereign powers of Government.

1.3.21 **Relative**: means, with respect to a Public Official, any individual who is related to the public official as father, mother, son, daughter, brother, sister, husband and wife.

1.3.22 **Responsible Officer**: means the head of any Ministry, agency or entity of Government, or any subdivision thereof, under which one or more Employees of Government work.

1.3.23 **Service User/Recipient**: means any person who interacts with or is serviced by Public Officials or Employees of Government, that needs, receives or uses services delivered in the normal course of the performance of their official duties.

1.3.24 **Sexual Harassment**: means any unwelcomed sexual behavior by a Public Official or Employee of Government towards any sex.

1.3.25 **Token Gifts**: include souvenirs, mementos or symbolic items given to a Public Official or Employee of Government which does not exceed US\$250 in value.

PART II: APPLICATION OF THE CODE OF CONDUCT

2.1 The Code of Conduct is applicable to all Public Officials and Employees of the three branches of Government of Liberia, its parastatal bodies and any other agency/organization it deals with.

2.2 The Code shall be reinforced by professional codes of conduct.

PART III: PRINCIPLES OF GOOD CONDUCT

This Code of Conduct has been developed by incorporating the following universally accepted principles of good conduct:

3.1 **Selflessness:** All Public Officials and Employees of Government in the course of their official duties shall take decisions solely in the interest of the public good.

3.2 **Integrity:** Public Officials and Employees of Government shall not place themselves under any financial obligations or other situations of conflict that impair, or are likely to impair, the performance of their official duties; and will set out the facts and relevant issues truthfully, and correct any errors as soon as possible. They shall use allotted resources only for the authorized public purposes for which they are provided.

3.3 **Diligence:** A Public Official and an Employee of Government shall apply his or her efforts to the performance of his or her work, use available time in a judicious, productive and efficient way, and complete assigned duties and responsibilities in a timely manner.

3.4 **Objectivity (Justice and Fairness):** In carrying out public functions, including making appointments, promotions, awarding contracts or recommending individuals for rewards and benefits, all Public Officials and Employees of Government shall make choices based solely on merit as defined by public policy and law.

3.5 **Accountability:** All Public Officials and Employees of Government shall be held personally responsible and liable, for his or her own acts of commission or omissions, done either mistakenly or deliberately, or which evidence gross negligence or result in substantial damage or injury to the Government and/or against the public interest. All Public Officials and Employees of Government shall obey all lawful instructions issued to him or her by their supervisors and shall decline to obey orders he or she knows or ought to know to be wrong or unlawful.

3.6 **Openness (Transparency):** All Public Officials and Employees of Government shall be as open as possible, regarding all the decisions and actions that he or she takes. He or she shall give reasons for taking decisions and release information consistent with the Freedom of Information Act. He or she shall follow established rules and procedures for delivery of services to the public.

3.7 **Honesty:** All Public Officials and Employees of Government have a duty to declare any private interests relating to his or her duties and shall, in a way that protects the public interest, take steps to prevent any conflicts which may arise; and shall not deceive, knowingly mislead others, or be influenced by improper means for the purpose of obtaining personal gain or giving undue advantage to others.

3.8 **Non-Discrimination:** Every Public Official and Employee of Government shall respect the human dignity and human rights of all persons without discrimination on the basis of race, sex, marital status, nationality, ethnic or national origin, physical, intellectual or other impairment on religious or political conviction or ideology.

3.9 **Discipline:** All Public Officials and Employees of Government shall adhere strictly to the Standing Orders of the Civil Service, this Code of Conduct, other professional codes of conduct, and any other laws or policies, and shall also ensure that his or her subordinates do the same, and shall obey all lawful instructions issued to them by their superiors.

3.10 **Loyalty:** All Public Officials and Employees of Government shall be faithful to the people and Government of Liberia and be supportive of Government's policies, plans and programs. He or she shall show respect for constituted authority and the country at large at all times and perform his or her duties in the most courteous, efficient and effective manner.

3.11 **Confidentiality:** Public Officials and Employees of Government shall not divulge classified confidential information, as defined by the Freedom of Information Act, obtained in the course of his or her work to anyone other than persons duly authorized to receive the information. He or she shall exercise due caution and discretion in handling confidential information. This caution and discretion shall extend to disclosures made both inside and outside the Government.

3.12 **Leadership:** All Public Officials and Employees of Government shall strive to excel in all his or her endeavors, be a role model to others and encourage them to follow in his or her footsteps; and shall promote and support the above principles of good leadership by example.

3.13 **Professionalism:** All Public Officials and Employees of Government shall adhere to this Code of conduct and all other professional codes of conduct, and demonstrate a high degree of competence, and standards required by his or her given profession.

3.14 **Merit System:** All Public Officials and Employees of Government shall hire and promote employees and officers based on the individual's competence and worth, rather than on political considerations.

PART IV: CONSTITUTIONAL, CIVIC RESPONSIBILITIES AND PROFESSIONALISM

4.1 Responsibility to the State and the Public Service

All Public Officials and Employees of Government have constitutional and civic responsibilities as outlined below which are over and above the good conduct and ethical issues contained in Part 1 of this Code of Conduct. He or she therefore shall uphold the Constitution and abide by laws, statutes, rules and regulations of the Republic of Liberia. He or she shall ensure that his or her personal interests do not interfere with the interest of the public.

4.2 Respect for Laws of the State

All Public Officials and Employees of Government shall uphold all laws, lawful instructions, decisions and policies of the State, faithfully and impartially to the best of his or her ability.

4.3 Maintaining Dignity of the Public Service

All Public Officials and Employees of Government shall exhibit good conduct at all times, both at work and off-duty. He or she shall be honest, faithful and just, and shall not act in a manner against the honor or dignity of the public service.

4.4 Support for Vulnerable and the Physically Challenged

All Public Officials and Employees of Government shall fully support and effectively implement government policies and programs on affirmative actions designed in favor of vulnerable and physically challenged persons or groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom, for the purpose of redressing imbalances which exist.

4.5 Efficiency and Effectiveness

All Public Officials and Employees of Government shall faithfully, effectively and efficiently implement the policies of Government with transparency. In the performance of official duties, he or she shall exercise proper due diligence, care and attention and maintain high standards of performance.

4.6 Confidence in Government

All Public Officials and Employees of Government shall act professionally and impartially at all times to promote and sustain public confidence in Government.

4.7 Care of State Property

All Public Officials and Employees of Government shall protect all properties of the State against damage, theft, loss, destruction and abuse, and where applicable, administer resources in the most effective and efficient manner in compliance with the Public Financial Management Act and other financial regulations and the Public Procurement and Concessions Act, to secure the purposes for which resources have been allocated. He or she shall not use public resources to gain personal benefit or give undue advantage to his or her relatives, other individuals or group of individuals.

4.8 Giving Advice

Every Public Official and Employee of Government shall provide his or her superior(s), advice which is frank, accurate and comprehensive. The advice shall include setting out identifiable advantages, disadvantages, costs and consequences of the available options and where appropriate, recommending a particular course of action which he or she considers to be cost-effective and in the best interest of the State.

4.9 Conflict between personal belief and Public Duties

Where a Public Official or an Employee of Government holds strong personal beliefs on issues that conflict with his or her official duties, he or she shall, regardless of his or her personal views, implement the Government policy to the best of his or her ability and shall do nothing to circumvent or undermine the policies; or he or she shall resign.

4.10 Respect for Other's Rights

All Public Officials and Employees of Government shall treat members of the public and other Public Officials and Employees of Government honestly and fairly, and with proper regard for the other person's rights and obligations.

4.11 Representation of Local or Foreign Governments, NGOs, etc.

Public Officials and Employees of Government shall not represent neither advise nor serve as an agent of any foreign government or NGO.

PART V: POLITICAL PARTICIPATION

5.1 All Officials appointed by the President of the Republic of Liberia shall not:

- a) engage in political activities, canvass or contest for elected offices;
- b) use Government facilities, equipment or resources in support of partisan or political activities;
- c) serve on a campaign team of any political party, or the campaign of any independent candidate.

5.2 Wherein, any person in the category stated in section 5.1 herein above, desires to canvass or contest for an elective public position, the following shall apply;

a) Any Minister, Deputy Minister, Director-General, Managing Director and Superintendent appointed by the President pursuant to article 56 (a) of the Constitution and a Managing Director appointed by a Board of Directors, who desires to contest for public elective office shall resign said post at least two (2) years prior to the date of such public elections;

b) Any other official appointed by the President who holds a tenured position and desires to contest for public elective office shall resign said post three (3) years prior to the date of such public elections;

c) However, in the case of impeachment, death, resignation or disability of an elected official, any official listed above, desirous of canvassing or contesting to fill such position must resign said position within thirty days following the declaration by the National Elections Commission of the vacancy.

5.3 It is unlawful for any public official to intimidate, threaten, or coerce, or to attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other persons to vote or not to vote as he may choose, or of causing such other persons to vote for, or not to vote for, any candidate for any elected public office.

5.4 It is unlawful for any public official, directly or indirectly, to promise any employment, position, work, compensation, or other benefit, provided for or made possible in whole or in part by any Act of Legislature, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election.

5.5 It is unlawful for any public official to deprive, attempt to deprive, or threaten to deprive, by any means, another person of employment, position, work, compensation, or other benefit provided for or made possible by any law appropriating funds for work relief or relief purposes, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

5.6 It is unlawful for any public official to solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose whatsoever from any person known by him to be entitled to or receiving compensation, employment, or other benefit provided for or made possible by any law appropriating funds for work relief or relief purposes.

5.7 It is unlawful for any public official for political purposes to furnish or to disclose, or to aid or assist in furnishing or disclosing, any list or names of persons receiving compensation, employment, or benefits provided for or made possible by any Act of Legislature appropriating, or authorizing the appropriation of funds for work relief or relief purposes, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee,

or campaign manager, and it shall be unlawful for any person to receive any such list or names for political purposes.

5.8 It is unlawful for any Civil Servant employed in any branch of the Government to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the Executive Branch of Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects.

5.9 Any public official, after due process, who is found guilty of violating any provision of this section shall be immediately removed from the position or office held by him/her, and thereafter no part of the funds appropriated by any law for such position or office shall be used to pay compensation to such person.

5.10 Avoidance of Conflict – Politics and Work

Every Employee of Government shall ensure that his or her participation in political activities does not bring him or her in conflict with official duties.

5.11 Contributions to Election Expenses

Every Public Official and Employee of Government shall have the right, in his or her personal capacity, free from any undue influence, to contribute to election expenses of any political party or candidate.

PART VI: DISCLOSURE OF INFORMATION AND RELEASE OF CLASSIFIED MATERIALS

6.1 Confidentiality of Information

Every Public Official and Employee of Government shall use sensitive and confidential information in his or her possession or likely to come into his or her possession only in the performance of his or her official duties or responsibilities, except where such information is criminal in nature or against public policy; and shall be prudent in discussing sensitive information with persons who are not directly concerned with the matter in hand.

6.2 Non-permissible use of Information

Public Officials and Employees of Government shall not use information obtained in the course of his or her official duties:

- a) In ways that are inconsistent with his or her obligations to act impartially.
- b) To cause harm or be detrimental to any person or body or the public service.
- c) To gain improper advantage for himself or herself or for any other person.

Such use of information for improper advantage as stated in section 6.2 (c) includes:

- i. Speculation in property or shares based on information about Governmental decisions or the affairs of any public or private sector body;
- ii. Exchanging confidential information with persons from other organizations;
- iii. Taking advantage, for personal reasons, of another person on the basis of information about that person that is held by the employer of the public servant;
- iv. Providing information from official records to any unauthorized person.

6.3 Safeguarding Official Information

Public Officials and Employees of Government shall maintain a high level of confidentiality regarding communication of official information in accordance with the Freedom of Information Act.

6.4 Release of Official Information

Except for Elected Officials, all other Public Officials and Employees of Government shall not accept public speaking engagements on matters of Government policy which have not been officially released to the public without prior approval from his or her immediate supervisor. No Public Official or Employee shall at any time engage himself or herself in making unguarded statements that will compromise Government policy on confidentiality.

6.5 Acceptable Public Comments/Discussions

Contributions by Public Officials and Employees of Government to public discussions of an impending Government policy in an official capacity are generally acceptable in circumstances where:

- a. Providing information on Government policy is part of the public servant's official duties or he or she has been appropriately authorized by the officials of the Ministry or agency; and
- b. The public servant does not misrepresent the facts concerning Government policy.

6.6 Release of Official Information

Public Officials and Employees of Government shall not use or communicate official information other than for official purposes except where such information has already been made available officially to the public. He or she shall not take improper or undue advantage of any information, including commercially sensitive information gained in the course of his or her employment.

6.7 Conditions for Release of Information

Public Officials and Employees of Government shall only disclose official information or release documents acquired in the course of employment when authorized by law to do so, or when called to give evidence in court, or when proper authority has been given. In such cases said disclosure shall be confined to factual information.

6.8 Unauthorized Release of Information

Public Officials and Employees of Government shall not compromise the policies, decisions, or actions of Government by the unauthorized, improper or premature disclosure of any information to which he or she has had access as a result of his or her duties and responsibilities.

6.9 Disclosure of information to Parties and Persons

Public Officials and Employees of Government shall not without authority disclose to any person or organization for his or her personal advantage or the recipient's advantage, information which has been communicated in confidence to him or her or has come to his or her knowledge as an employee of Government.

6.10 Communication of Private Matters

Public Officials and Employees of Government shall have the right to communicate directly with any official of Government (e.g. Minister or Legislator) on any issue affecting him or her as a private citizen. However, he or she shall observe and follow the proper channel of communication that operates in his or her organization regarding communication of official matters.

PART VII: INTERACTING WITH THE PUBLIC

7.1 Courtesy to Service Recipients or Users

Every Public Official and Employee of Government shall, in the course of his or her work exhibit courtesy, transparency, promptness, clarity, respect and sensitivity with proper regard for a person's rights and obligations. He or she shall exhibit said responsibilities with a view of ensuring the maximum satisfaction of the recipients and or users of services delivered or required to be delivered by the employer of the public and civil servant. He or she shall be responsive to legitimate demands from the public and attend to requests, complaints or enquiries promptly. If not in a position to assist, he or she shall refer the person to another officer or office which is able to deal with the request.

7.2 Courtesy of Staff

Public Officials and Employees of Government shall treat all service recipients and users with due courtesy and respect.

PART VIII: USE OF PUBLIC FUNDS, PROPERTIES AND FACILITIES

8.1 Use of Government Facilities

Public Officials and Employees of Government shall use Government facilities, including residential property, equipment, money, vehicles, computers, internet, and telephones for official purposes only.

8.2 Abuse of Staff Time

No Public Official or Employee of Government shall employ for private purposes, the services of Government Employees at a time when the services of such Employee(s) is at the disposal of Government.

8.3 Adherence to Budgetary and Financial Regulations

Every Public Official and Employee of Government shall ensure that public resources entrusted to his or her care for the performance of duty are utilized judiciously and in accordance with budgetary appropriations and financial regulations. A Public Official or an Employee of Government who directs or concurs in the use of public funds contrary to the existing regulations or instructions shall be accountable and liable for any loss arising from that use and shall be required to make full restitution of the loss, even if he or she has ceased to be a public servant.

PART IX: GIFTS, BRIBES AND CONFLICT OF INTEREST

9.1 Bribes and Gifts

Public Officials and Employees of Government shall not receive nor encourage the giving of any form of bribe or casual gift in connection with the performance of his or her official duties, whether for himself or herself or members of his or her family or any other benefits that could have any influence on his or her professional approach to issues and the discharge of his or her official duties. This shall not include gifts given during traditional ceremonies and celebrations, and fees paid for Lobbying. The Legislature shall enact laws for the regulation of lobbying activities.

9.2 Token Gifts

Any token gift received by Public Officials and Employees of Government must be declared, within a reasonable time not exceeding seven (7) days, to the appropriate authority that shall decide whether the gift item should be retained by the Public Official or Employee of Government or whether the gift should be surrendered to Government. Public Officials and Employees of Government who surrender a token gift must demand a receipt from the appropriate recipient or depository.

9.3 Obtaining Financial Assistance or Loans

Public Officials and Employees of Government may take loans from a person or legal entity provided the loan is on commercial terms and include explicit requirements for repayment and a reasonable rate of interest as established by law or as set by the Central Bank of Liberia or by contract.

9.4 Gifts and Offers intended to Induce or Influence

Every Public Official and Employee of Government shall report to his or her head of institution any circumstances where a benefit or gift was offered or made regardless of whether the benefit or gift was accepted, especially where the public servant feels that such circumstances constituted attempts to influence his or her official action/decision. In reporting, the Public Official or Employee of Government shall disclose the source of such an offer.

9.5 Reporting of Gifts from Foreign Governments, International Organizations, etc.

A Public Official or Employee of Government may accept gifts other than casual or token gifts from foreign governments, donors, international or multinational organizations or quasi-governmental organizations closely affiliated or funded by a foreign government but shall promptly declare such gift to his or her superior who shall decide whether the Public Official or Employee of Government may retain the gift or must surrender it to Government.

9.6 Use of Office for Private Interest

No Public Official or Employee of Government should use an official position to pursue private interests that may result in conflict of interest.

9.7 Nepotism

A Public Official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement, in a civilian or military position in the agency or branch of Government in which he or she is serving or have jurisdiction or control, any individual who is a Relative, as defined in Section 1.3.21 of this Code. An individual who is a Relative of a Public Official may not be appointed, employed, promoted, or advanced in or to a military or civilian position in an agency or branch of Government if such appointment, employment, promotion, or advancement has been influenced or advocated by the Public Official. Any such appointment upon investigation shall be declared null and void. Upon being declared guilty in accordance with due process, the appointing authority shall be subject to dismissal, suspension or impeachment in accordance with due process.

9.8 Sanctions for Nepotism

The penalties for Nepotism include reprimand, suspension, demotion or removal from employment; and could include prohibiting the offender from working for Government for up to five (5) years.

9.9 Equal and Fair Treatment of the Public

Public Officials and Employees of Government shall not, in the performance of official duties, give preferential treatment to any individual, corporation or institution, including a non-profit organization.

9.10 Receipt of Double Emoluments

Public Officials and Employees of Government shall not, while receiving or being paid salaries by the Government, at the same time receive or be paid salary by any other public office unless it is established that such additional employment is in the public interest [e.g. teaching at public educational institutions], and that such service does not conflict with the Public Official or Employee of Government's principal employment.

9.11 Disclosure of Interest

Where Public Officials and Employees of Government have direct or indirect personal interests in a matter being examined, he or she shall inform the authorities of those interests and shall excuse himself or herself before deliberations are held and a vote or decision is taken.

PART X: DECLARATION AND REGISTRATION OF PERSONAL INTERESTS, ASSETS AND PERFORMANCE/FINANCIAL BONDS

10.1 Declaration of Assets and Performance Bonds

Every Public Official and Employee of Government involved in making decisions affecting contracting, tendering or procurement, and issuance of licenses of various types shall sign performance or financial bonds and shall in addition declare his or her income, assets and liabilities prior to taking office and thereafter:

- a. at the end of every three years;
- b. on promotion or progression from one level to another;
- c. upon transfer to another public office; and
- d. upon retirement or resignation.

10.2 Repository and contents of Declaration

The declaration of personal interest, income, assets, liabilities and the performance bond as may be required, shall be lodged with:

- In the Legislative Branch, with the Secretary of the Senate and the Chief Clerk of the House of Representatives;
- In the Executive Branch, with the General Auditing Commission; and
- In the Judicial Branch with the Clerk of Supreme Court; and in each event such receipt shall be notified to the Liberia Anti-Corruption Commission (LACC).

All such declarations shall be accessible to both the public employer and the general public upon a court order; as well as to the Liberia Anti-Corruption Commission (LACC) and the General Auditing Commission (GAC) for investigative purposes. The declaration shall be promptly updated by Public Officials and Employees of Government upon subsequent changes in his or her interest and/or assets. Each declaration along with the updates thereto shall include disclosure of income, assets, liabilities, net worth, financial and family interests held by the official.

10.3 Sanctions for False Declaration

Every Public Official and Employee of Government shall declare and affirm that his or her declaration is accurate to the best of his or her knowledge. Any statement in such declaration found to be false upon verification shall lead to summary dismissal and other measures provided by law.

PART XI: PERSONAL BEHAVIOR AND WORK ETHICS

11.1 Exploitation of relationships for Undue Favors or Advantages

Every Public Official and Employee of Government shall conduct himself or herself with utmost integrity and respect and shall not exploit his or her relationship with another public servant or any other person to take advantage of or obtain undue favor from the person for any purpose.

11.2 Relationship and Performance

Public Officials and Employees of Government shall not allow personal relationships at the work place or anywhere else to adversely affect his or her performance.

11.3 Sexual Harassment

All Public Officials and Employees of Government shall avoid unethical and unbecoming behavior such as use of rude, abusive and obscene language, indecent dressing, unreasonable or oppressive supervision and sexual gestures which constitute Sexual Harassment and violation of human dignity and human rights.

11.4 Public Officials and Employees of Government shall neither be subjected to nor have others subjected to conduct of a sexual nature, which is unwelcome, unreasonable and offensive.

11.5 A sexually suggestive and offensive behavior may manifest itself in such forms as:

a) An employee being forced to choose between acceding to sexual demands or losing job benefits through sexual blackmail.

b) Verbal and non-verbal sexually offensive behavior exhibited by any person.

11.6 Any Public Official and Employee of Government who is subjected to Sexual Harassment shall report such a case with adduced evidence, where applicable, with a view of obtaining redress from the ministry/agency of Government responsible for investigating civil and criminal offences.

11.7 No Public Official or Employee of Government who lodges any complaint regarding Sexual Harassment using the established complaints procedure shall be unduly victimized.

11.8 Remedies for Sexual Harassment shall be those prescribed under the civil and criminal laws.

11.9 Discrimination at Work Place

No Public Official or Employee of Government shall discriminate against, harass or bully anyone, particularly those over whom he or she has authority or those who are vulnerable.

11.10 Improper Behavior

No Public Official or Employee of Government shall engage in any act that is fraudulent, embarrassing, profane, obscene, defamatory or otherwise unlawful or inappropriate.

11.11 Consumption of Alcohol

Public Officials and Employees of Government shall not consume or drink alcohol while on duty.

11.12 Usage of Prohibited Drugs and related Substances

Public Officials and Employees of Government shall not take any prohibited drugs and other related substances unless such drugs are dispensed and administered by a qualified physician during the course of medical treatment.

11.13 Promotion of Merit System

Public Officials and Employees of Government shall promote the merit system and shall not use their influence or the influence of any person to obtain appointment, promotion, advancement, transfer, or any other advantage for himself or herself, relatives or friends.

11.14 Confidentiality After Service

Without expressed permission, no Public Official or Employee of Government who leaves the public service may:

- a) make public, or otherwise use any confidential knowledge or information gained as a consequence of employment in the public service;
- b) retain any document or items which relate to the public service and which are not otherwise publicly available.

11.15 Maintaining Integrity of the Public Service and Work Environment

Public Officials and Employees of Government shall exhibit conduct that contributes to a positive work environment and not compromise the integrity of the public service. He or she shall not engage in abusive language or fight on any Government premises, or any public place.

11.16 Dress Code

All Public Officials and Employees of Government shall be attired in accordance with the work to be performed, taking into consideration occupational health and safety factors, cultural diversity, local community standards and climatic conditions.

11.17 Work Ethics

All Public Officials and Employees of Government shall be committed to reporting for duty punctually in compliance with official Government working hours. Unless otherwise stated, the official working hours of a public servant are:- Monday – Friday: 8:00 a.m. to 5:00 p.m.

11.18 Public Officials and Employees of Government shall neither engage in nor encourage the practice of:

- a) Lateness at work, meetings and Official functions;
- b) Irregular attendances to work;
- c) Taking more than the average number of sick days/casual leave;
- d) Using weather, poor transportation and domestic problems as excuses for lateness and irregular attendance;
- e) Being lazy and idle at work;
- f) Transacting private business in office; and
- g) Abusing the rights of persons supervised by keeping them beyond official working hours, unless under conditions of emergency.

11.19 All Public Officials and Employees of Government shall seek and obtain permission from his or her supervisor to be absent from duty. Permission shall not be unreasonably denied.

11.20 All Public Officials and Employees of Government shall, during official working hours, report his or her absence from office to his or her immediate supervisor or relevant persons.

11.21 Abuse of rights

Public Officials and Employees of Government shall not influence nor cause others to do acts that are arbitrary or prejudicial to the rights of others.

11.22 Other Professional Associations

All Public Officials and Employees of Government who are members of any professional association or body shall be required to observe the Code of Conduct prescribed for and/or by that profession. However, where there is inconsistency between a professional code and the Code of Conduct for Liberian Public Officials and Employees of Government, this Code of Conduct shall prevail to the extent of the inconsistency.

PART XII: THE CREATION OF THE OFFICE OF OMBUDSMAN

12.1 The Office of an Ombudsman is hereby established as an independent autonomous body which shall be responsible for the enforcement, oversight, monitoring and evaluation of the adherence to the Code of Conduct.

12.2 The Office of Ombudsman shall receive and investigate all complaints, in respect to the adherence to the Code of Conduct. In the case where there is a determination of guilt and violation of the code by private and Public Officials and Employees of Government, said violation shall be submitted by the Ombudsman to the Liberia Anti-Corruption Commission (LACC) or other relevant Agencies of Government. The Office of the Ombudsman shall be responsible to collaborate with the three Branches of Government and Civil Society Organizations in order to develop regulations for the Code of Conduct.

PART XIII: RESPONSIBILITY OF PUBLIC SERVANTS TO REPORT WRONG DOINGS

Each Public Official and Employee of Government has a duty to report any situation that he or she believes contravenes this Code of Conduct. Such reports shall be treated confidentially, unless disclosure of the information is authorized or required by law.

13.1 Protection of Complainants

All Public Officials and Employees of Government shall be protected from discipline or reprisal for reporting in good faith, allegations of wrong doing or contraventions of this Code of Conduct.

13.2 Complaint from Public

A member of the public who has any complaint of misconduct by a Public Official and an Employee of Government shall report this to the autonomous body responsible for the functions of Ombudsman. Such person making a complaint shall be protected from any reprisal for reporting in good faith, allegations of wrong doing or contraventions of this Code of Conduct in keeping with the Whistle Blower Protection Law.

PART XIV: INFRINGEMENT OF THE CODE

14.1 Infringement of the Code

A breach of this Code of Conduct shall evoke, relevant to the particular officer, the disciplinary processes as contained in the Standing Orders of the Civil Service, this Code of Conduct and other relevant rules, regulations and laws in force.

PART XV: SANCTIONS

15.1 Sanctions for Infringement

Sanctions for any breach of this Code of Conduct shall be those prescribed by the Standing Orders of the Civil Service or any other laws governing the public service. Notwithstanding, depending on the gravity of the offence or misconduct, one or more of the following penalties may apply:

- a. dismissal;
- b. removal from office in public interest;
- c. reprimand;
- d. fine or making good of the loss or damage of public property/assets;
- e. demotion (reduction in rank);
- f. seizure and forfeiture to the State of any property acquired from abuse of office; and
- g. interdiction/suspension from duty with half pay.

PART XVI: PROCEDURE FOR REPORTING VIOLATIONS

16.1 Procedures for submission of Complaints

Submission of complaints shall be in accordance with procedures established by the autonomous body responsible for Ombudsman functions.

PART XVII: CRIMINAL OFFENSE

17.1 Criminal Offense

The sanctions listed above shall be without prejudice to the penalties that may be imposed by any court of law where the conduct also amounts to a criminal offence.

PART XVIII: REWARDS

18.1 Rewards of Public Officials and Employees of Government for Good Behavior

An appropriate reward and recognition shall be accorded to Public Officials and Employees of Government who exhibit good ethical conduct in compliance with this Code of Conduct. A reward shall be accorded to Public Officials and Employees of Government by the head of the organization or appropriate authority in which the Public Officials and Employees of Government work. The rewards shall include, but not be limited to:-

- a) Commendation
- b) Open praise
- c) Challenging work assignment normally done by seniors
- d) Letter of commendation
- e) Presents
- f) Mementos
- g) Certificate of merit
- h) Concessionary trips
- i) Cash bonuses
- j) Job upgrade
- k) Award of medal

PART XIX: OBLIGATIONS OF GOVERNMENT

19.1 Obligations of government towards Public Officials and Employees of Government

While Public Officials and Employees of Government are expected to observe this Code of Conduct, an employer has the following obligations as laid down in the Constitution and operationalized by relevant laws:-

- a) To provide a working environment that is safe, healthy and satisfactory.
- b) To ensure equal pay for work of equal value.
- c) To ensure that employees are accorded rest and reasonable working hours and periods of holidays with pay as well as remuneration for Public holidays.
- d) To enable every employee to practice his or her profession consistent with the professional Code of Conduct, the Constitution and other laws of Liberia.
- e) To accord Employees of Government the right to join a Trade Union of his or her choice for the promotion and protection of his or her economic and social interests in accordance with law.

- f) To protect the rights of Employees of Government, including the right to withdraw labor in accordance with the law.
- g) To accord protection to female public servants during pregnancy and after birth in accordance with Civil Service rules and Labor Laws.
- h) To provide public servants with the necessary tools and equipment for the effective performance of their duties.

PART XX: SIGNING OF THE CODE OF CONDUCT

20.1 Signing of the Code by new Employees at induction into the Service

All Public Officials and Employees of Government shall sign this Code of Conduct at his or her induction into the public service or at the commencement of his or her orientation program. Refusal to sign is tantamount to declining the appointment or offer of employment.

20.2 Signing of the Code by Employees already in the Service

All Public Officials and Employees of Government already in the service of Government at the coming into force of this Code of Conduct shall be required to sign the Code.

This Act shall take effect immediately upon publication into handbills.

ANY LAW TO THE CONTRARY NOTWITHSTANDING.