

## CHAPTER 2 - ADMINISTRATION

### Sec. 2-327.7. Restrictions on Employment of Present and Former Employees.

(1) *Contemporaneous Employment Prohibited.* Except as may be permitted by this code or procurement guidelines, it shall be a breach of ethical standards for any employee who is participating directly or indirectly in the procurement process to become or be, while such an employee, the employee of any person contracting with the governmental body by whom the employee is employed. Notice of this provision shall be provided in accordance with regulations promulgated by the Materials Manager.

(2) *Restrictions on Former Employees in Matters Connected with Their Former Duties.*

(a) *Permanent Disqualification of Former Employee Personally Involved in a Particular Matter.*

It shall be a breach of ethical standards for any former employee knowingly to act as a principal, or as an agent for anyone other than the city, in connection with any:

- (i) judicial or other proceeding, application, request for a ruling, or other determination;
- (ii) contract;
- (iii) claim; or
- (iv) charge or controversy,

in which the employee participated personally and substantially through decision, approval, disapproval, recommendation, rendering of advice, investigation, or otherwise while an employee, where the city is a party or has a direct and substantial interest.

(b) *One Year Representation Restriction Regarding Matters for Which a Former Employee Was Officially Responsible.*

It shall be a breach of ethical standards for any former employee, within one year after cessation of the former employee's official responsibility, knowingly to act as a principal, or as an agent for anyone other than the city, in connection with any:

- (i) judicial or other proceeding, application, request for a ruling, or other determination;
- (ii) contract;
- (iii) claim; or

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(iv) charge or controversy,

in matters which were within the former employee's official responsibility, where the city is a party or has a direct or substantial interest.

(3) *Disqualification of Business When an Employee Has a Financial Interest.* It shall be a breach of ethical standards, Arizona Revised Statutes Section 38-502, for a business in which an employee has a financial interest knowingly to act as a principal, or as an agent for anyone other than the city, in connection with any:

(a) judicial or other proceeding, application, request for a ruling, or other determination;

(b) contract;

(c) claim; or

(d) charge or controversy,

in which the employee either participates personally and substantially through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which is the subject of the employee's official responsibility, where the city is a party or has a direct and substantial interest.

ABA Model Procurement Code Reference 12-208  
(Ord. No. 08-01, 1/15/08, Enacted) SUPP 2008-1