

Standards of Conduct for Legislative Council Representatives and Alternates

I. General Standards.

(A) Purpose. Legislative Council representatives and alternates (“Council Representatives”) are also representatives of the Tohono O’odham Nation and are therefore expected to conduct themselves in a manner which reflects favorably upon the Tohono O’odham and government of the Tohono O’odham Nation. These standards are designed to ensure that all elected officials meet the high standards enumerated herein which are supported by these expectations.

(B) Respect. Council Representatives shall act in a professional, courteous, and respectful manner toward other Council Representatives, Council committees, other officials, all Tohono O’odham Nation employees, and members of the public.

(C) Council Representatives shall not use their official position to improperly secure information, privileges, or benefits for themselves or others which they are not otherwise entitled by law to receive.

(D) Confidentiality. No Council Representative shall disclose or use information designated by applicable law as confidential in any manner prohibited by law nor shall any elected official disclose or use any information discussed or presented in an executive or closed session. A Council Representative shall not use confidential information for personal gain.

(E) Dress Code. Council Representatives shall dress in an appropriate and professional manner that reflects positively on the Nation.

(F) Non-Violence. Council Representatives shall treat the Legislative Branch as a violence- and weapon-free workplace.

(G) Non-Discrimination. Council Representatives shall not discriminate in the workplace on the basis of disability, race, creed, color, sex, sexual orientation, religion, age, national origin, military status, marital status, citizenship, ancestry, or any other protected characteristics (collectively, “Protected Characteristics”).

II. Code of Conduct. Council Representatives shall

(A) Treat others as equals and with respect at all times.

(B) Refrain from bullying, making unprofessional remarks, or engaging in verbal attacks, for example, accusations of property damage or taking documents; retaliation is prohibited.

(C) Maintain confidentiality but share information with other Council Representatives when possible and promptly notify representatives of issues affecting their districts.

(D) Respect privacy.

(E) Be sensitive to traditional values.

(F) Be respectful during debates and discussions.

- (G) Share resources, including information, within the Council.
- (H) Respect and give full attention to presenters in Council sessions and committee meetings.
- (I) Only use or authorize the use of branch vehicles and equipment for business purposes and comply with vehicle, travel, and other policies.

III. Substance Abuse

- (A) No Council Representative shall be under the influence of alcohol or any controlled substance during the performance of any of his or her duties. These provisions shall apply to all official meetings and hearings attended by elected officials, including those meetings and hearings attended outside the Tohono O’odham Nation. While on official travel, Council Representatives shall conduct themselves in a professional and dignified manner.
- (B) A Council Representative shall be given the opportunity to seek counseling and rehabilitation for alcohol or substance abuse.

IV. Discrimination, Harassment, and Retaliation

- (A) Harassment.

(1) Harassment is verbal, written or physical conduct that degrades or displays hostility or hatred toward others based on their or their relatives’, friends’ or employees’ Protected Characteristics and that creates an intimidating, hostile or offensive working environment, unreasonably interferes with an individual’s work performance or otherwise adversely affects an individual’s employment opportunities.

(2) Generally speaking, harassing conduct includes, but is not limited to, the following acts or conduct when those acts or that conduct relates to any Protected Characteristic:

- (a) Slurs;
- (b) Negative stereotyping;
- (c) Threats; and
- (d) Written, graphic or electronic material that degrades or displays hostility or hatred toward an individual or group based on any Protected Characteristic, when such material is distributed or circulated in the workplace or on systems, including, but not limited to electronic mail, or placed on walls, bulletin boards or elsewhere on property.

- (B) Sexual Harassment Defined. Sexual harassment, like all other forms of harassment, is expressly prohibited. Sexual harassment includes any unwelcome sexual advances, requests for sexual favors and all other verbal, visual, physical or written conduct of a sexual nature, whether committed by Nation’s employees, agents, vendors, volunteers or visitors.

(C) Retaliation Defined. Retaliation is any interference or action taken against an employee or representative, which a reasonable person would find to be adverse, because that person voiced his or her opposition to harassment or discrimination, filed a complaint of harassment or discrimination, or participated in a harassment or discrimination investigation.

V. Enforcing Standards of Conduct

(A) During Council sessions and legislative standing committee meetings, the presiding officer may rule that a statement or conduct that is inconsistent with these Standards or that is outside the scope of the agenda item is out of order. Any Council Representative may call a point of order asking the presiding officer to make such a ruling. If the presiding officer denies the point of order or otherwise declines to limit debate to the scope of the agenda item or to ensure compliance with these Standards, a motion and second to grant the point of order may be made and approved by consensus or majority vote.

(B) The Legislative Council Chairperson shall report significant or repeated violations of these Standards in writing to a Council Representative's district council. The Legislative Rules Committee shall report significant or repeated violations of these Standards by the Legislative Council Chairperson in writing to the Chairperson's district council.

(C) A violation of these Standards of Conduct may constitute misconduct reflecting on the dignity and integrity of the government or otherwise be grounds for removal from office in accordance with the Nation's Constitution and the Uniform Election Ordinance, as may be amended.