



**THE CITY OF NEW YORK
DEPARTMENT OF SANITATION
GENERAL ORDER 2015-03**

EFFECTIVE DATE: January 12, 2015

SUBJECT: **CODE OF CONDUCT**

AFFECTED DIRECTIVES: General Order 2010-06 is hereby rescinded and replaced by this order.

REFERENCE: PAP 2012-04

As Commissioner of the New York City Department of Sanitation, I hereby promulgate GENERAL ORDER No. 2015-03, and adopt the Code of Conduct, effective January 12, 2015. This Code of conduct shall apply to every employee of the Department of Sanitation. Employees are required to obey all Department Rules, Regulations and Orders, both verbal and written, that may be issued from time to time. Publishing the Code of Conduct does not supersede other Department Rules, Regulations and Orders.

The provisions of this Code of Conduct shall govern any violation committed on or after its effective date. Any violation committed prior to its effective date will be governed by the Code of Conduct in effect at that time. However, during the first six months following issuance of General Order 2015-03, complaints issued charging rule violations under the prior Code of Conduct will still be valid.

All Employees shall be accorded all rights due them by statute, rule or regulation and by the provisions of the governing collective bargaining agreement to the extent permitted by Law.

CANCELLATION: This Order shall remain in effect until it is rescinded.

ISSUING AUTHORITY:

A handwritten signature in black ink that reads "Kathryn Garcia".

Kathryn Garcia
Commissioner

DISTRIBUTION: All Department Employees

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CHAPTER I
Time and Leave

- 1.1 Employees must report to work on time.
- 1.2 Employees must accurately record their hours of duty in accordance with the procedures established at their work location. Employees who are required to, must sign in when they arrive at their work location, and must sign out at the end of their work shift.
- 1.3 Uniformed employees must be at roll call in proper and complete uniform ready to work, and must adhere to the rules set forth in the Roll Call Procedures and Uniform Regulations Order.
- 1.4 Employees may not be absent without authorization.
- 1.5 Uniformed employees who cannot report to work must call their work location at least one hour before their assigned tour of duty and notify the Department that they are unable to report to work. The employee must give a valid reason for the emergency leave and must submit verifiable proof of the emergency within 48 hours of the request. Employees unable to call their work location at least one hour before their scheduled tour of duty must give a reason that is acceptable to the Department. Employees may not use emergency leave in lieu of medical leave.

CHAPTER II
Substance Abuse

- 2.1 Employees may not be under the influence of alcohol, drugs, intoxicants, or controlled substances while at work or on Department premises or property.
- 2.2 Employees must notify the Department's Medical Division and their location Supervisor before the start of their next shift and report the use of any prescription drug, or physical condition that may impair their ability to perform their duties safely.
- 2.3 Employees must report to the DSNY Health Care Facility when ordered.
- 2.4 Employees are prohibited from using, possessing, selling or bringing any alcoholic beverages or controlled substances on or to any Department property, vehicle, equipment, vessel, or premises, or to any official assignment off-premises.
- 2.5 Employees must submit to drug and alcohol tests when ordered, in accordance with the Department's Policy and Administrative Procedure on Substance Abuse, Workplace Violence and any random tests required by the FMCSA for CDL holders.
- 2.6 Employees shall obtain, become familiar and comply with the Department's Policy and Administrative Procedure on Substance Abuse.

CHAPTER III
Rules of Conduct

- 3.1 Employees must obey all Rules, Regulations, Orders, messages, and direct orders given them by their superiors.
- 3.2 Employees shall not bring discredit to the City or the Department by being arrested, issued a desk appearance ticket, indicted and/or charged with the commission of any crime.
- 3.3 If arrested, indicted, or charged with the commission of any crime, or convicted of any crime, employees must notify their immediate Supervisor and the Office of the Department Advocate of that fact within two calendar days, whether they are working or away from work on an excused absence.
- 3.4 Employees who are required to have a valid driver's license and/or Commercial Driver's License (CDL) or any other permit necessary for the performance of their duties, must be in possession of their required license/permit at all times during their tour of duty. All required licenses or permits must be kept valid at all times for applicable assignment or job title.
- 3.5 Employees required to possess a driver's license and any other special license or permit to perform their duties, shall immediately report any loss, suspension, revocation, expiration, or restriction of the license or certificate to their Supervisor. The employee shall not drive, operate equipment, and/or perform their work duties without a valid license or permit.
- 3.6 Employees shall promptly and properly perform their assigned duties, and complete all assigned tasks.
- 3.7 Employees are required to maintain productivity at the standards established for their particular job assignment subject to the provisions of any governing collective bargaining agreement.
- 3.8 Uniformed employees must wear only authorized Department uniforms and uniform accessories.
- 3.9 Uniforms must be clean, neat, and presentable.
- 3.10 Employees must keep the Department informed of their address and telephone number and must notify their Supervisor of any change of residence or telephone number, and complete a new Medical Profile Card, and Department "Change of Employee Home Address" forms within two (2) business days after the employee changes residence, or telephone number. The Supervisor shall submit the forms to the Medical Division's Supervised Sick Leave Unit, and the Bureau of Human Resources.
- 3.11 Employees shall prepare and maintain Department records accurately, and shall only make true and accurate entries on these forms, reports and records. Employees shall comply with the Department Orders, Rules and Regulations governing Department forms, reports and records.
- 3.12 Employees shall maintain Department records and files, and protect and safeguard them from damage and loss.

- 3.13 Employees are required to familiarize themselves and adhere to all City Laws, Rules and Regulations concerning not smoking in the workplace.
- 3.14 Employees shall treat all other persons fairly and with respect, and shall not discriminate against any person in violation of rule, regulation or law. This includes, but is not limited to, all aspects of employment, terms and conditions of employment, any relationship with other government employees and the general public. Employees must become familiar with and comply with the City of New York's EEO Policy.
- 3.15 Sexual harassment of employees of the Department of Sanitation, any government agency or members of the general public is prohibited. Workplace sexual harassment is a form of employment discrimination and is in violation of the New York City's EEO Policy, the Department of Sanitation Policy and Administrative Policy on sexual harassment and other applicable rules, regulations and laws. Employees must become familiar with the City's EEO Policy and the Department's PAPs on sexual harassment and non-fraternization.
- 3.16 Employees are required to familiarize themselves and comply with the Department of Sanitation Policy and Procedure regarding Employee use of Social Media.
- 3.17 Employees shall be responsible for and follow Department procedures when using and securing Department electronic equipment including but not limited to telephones, cellular phones, radios, communicating devices, computers, pagers, cameras, radar guns, and other types of Department property.
- 3.18 Unauthorized sorting or taking of any refuse or recycling material for personal use is prohibited.
- 3.19 Collection crews are required to collect all material assigned and placed out for collection, and shall clean up any material that they spill during collection. Recycling crews shall collect all recyclable material properly, and clean up any material that they spill during collection. Recyclable material shall not be disposed of with refuse collection by either refuse or recycling.
- 3.20 Employees shall not loiter, lounge nor sleep while on-duty.
- 3.21 Employees shall return promptly to their assigned location after completing their work assignment unless ordered otherwise by their Supervisor.
- 3.22 Employees shall not strike, attempt to strike, threaten to strike, or engage in any altercation with a superior, subordinate or fellow employee, or a member of the public.
- 3.23 Employees shall be courteous and act in a professional manner at all times. Employees may not threaten, or use offensive, abusive, obscene or sexual language, ethnic slurs, threats or gestures toward a superior, subordinate or fellow employee, or a member of the public, either in the presence of a person, on the phone, or through texting, email, or social media.
- 3.24 Employees are required to familiarize themselves and comply with all rules and regulations regarding the Department's Workplace Violence Policy.

- 3.25 Employees must be present at their assigned work site, route, garage, section or other Department location during working hours unless authorized to leave by a Supervisor.
- 3.26 An employee shall not possess a firearm or any other dangerous weapon while on duty, or in or on any Department premises, property, vehicle or equipment without the specific, written authorization of the Commissioner.
- 3.27 Employees shall not conduct themselves in a manner prejudicial to good order and discipline, or which tends to discredit the City or the Department.

CHAPTER IV

Ethics

- 4.1 Employees must cooperate with any official inquiry relating to their duties, corrupt activities, or conflicts of interest.
- 4.2 Every employee shall immediately report to the Office of the Inspector General or the Department of Investigation any and all information concerning conduct about which they know or should reasonably know to involve a conflict of interest, corruption or other criminal activity by another City employee, or by persons, businesses or organizations dealing with the City.
- 4.3 Employees shall not solicit, give, agree to accept, or accept any benefit, money, or anything of value in connection with their actions or duties as an employee in connection with any Department operation, service or activity. Employees shall not grant nor authorize any privileges or favors in connection with Department operations, services or activities.
- 4.4 Employees shall not lie nor make or allow any false report or false entry in or on any Department of other official record, or give a false statement in connection with any Department operation, activity or investigation.
- 4.5 Employees shall not steal, attempt to steal, or allow anything to be stolen from Department premises, or property, or any equipment or vehicle belonging to the Department.
- 4.6 Employees shall not knowingly possess or attempt to possess any stolen property.
- 4.7 Employees shall not intentionally damage, tamper or interfere with the property of the Department, or of any person.
- 4.8 Employees shall not enter into a romantic/sexual relationship with a subordinate that he/or she supervises.
- 4.9 Employees shall not borrow money, lend money, or use the credit of a superior, subordinate or fellow employee for any transaction.
- 4.10 Employees shall not engage in any criminal activity while on duty or on Department premises or property, or while using or operating Department vehicles or equipment, or engaging in any Department activities.
- 4.11 Employees shall not gamble on Department premises or property.

- 4.12 Employees shall not take up collections on or adjacent to Department premises or property for any cause, nor offer any tickets or chances for sale without the Commissioner's written authorization.
- 4.13 Employees shall not disclose any confidential information relating to Department operations, services or activities, nor give any Department records to any unauthorized person. Employees must obtain the express approval of an appropriate Bureau Head/representative, with the authority to release such information or records prior to the disclosure of any information.

CHAPTER V

Department Equipment and Property

- 5.1 Employees must carefully and correctly use, maintain and operate all City or Department vehicles, vessels, supplies, premises, equipment and property assigned to them.
- 5.2 Employees shall only use and operate Department vehicles, equipment and property when authorized and only for authorized Department purposes.
- 5.3 Employees shall not permit any unauthorized use of Department vehicles, premises, equipment, property or supplies.
- 5.4 Employees shall drive carefully, obey all traffic laws, and maintain the highest degree of attention while operating or guiding Department vehicles and equipment. The negligent operation or guidance of a vehicle or equipment, whether or not it causes a vehicular accident, is a violation of this Rule.
- 5.5 Employees will be personally liable for payment of any parking summonses and associated towing fees, or fines for moving violations issued by law enforcement, or for Notices of Violation from evidence captured by street electronic devices, issued while operating Department vehicles. The exception will be moving violations issued to trucks travelling through New Jersey, under the Export program.
- 5.6 Employees shall use fuel and lubricants only for Department vehicles and equipment, and for Department purposes, and shall not waste them.
- 5.7 Department employees assigned to equipment or vehicles shall inspect the equipment and/or vehicle for fuel, engine coolant, lubricants, and damage before leaving the garage unless ordered otherwise by a Supervisor; such order shall be set forth in writing by the Supervisor on the "BCC-Daily Performance Record", and the Supervisor shall sign the document. Any damage or defects shall be reported immediately to the location Supervisor.
- 5.8 Employees must report all accidents, however, slight, immediately, and shall remain on the scene of the accident until released by a Supervisor. Employees must cooperate with the Supervisor and any Safety Officer or law enforcement personnel investigating the accident.
- 5.9 Employees may not post nor hang any unauthorized notices, posters or pictures on Department premises, property, equipment, or vehicles.

- 5.10 Employees must return all tools and equipment to their proper place at the end of their tour of duty.
- 5.11 Collection and Recycling crews shall carry a broom and shovel, and any other assigned equipment on their truck to clean spilled material along their assigned route.
- 5.12 Employees are required to adhere to and follow all safety orders and Department messages, and practice safe work habits to ensure the safety of themselves fellow employees, and the public.
- 5.13 Employees shall not cause or permit damage to Department premises, equipment, vehicles, or property, or any other property.
- 5.14 Employees must comply with all Laws, Rules and Regulations when using or operating Department vehicles and equipment.
- 5.15 Employees shall not leave Department vehicles or equipment unattended on a public thoroughfare, or at any unauthorized location.
- 5.16 Employees shall not leave any Department vehicle or equipment unattended while parked with keys in the ignition, or the shutdown switch in the on position, or the emergency brake unset, or leave any operating control device unattended.
- 5.17 Employees are strictly prohibited from using cell/smartphones, tablets, or other portable electronic devices while operating Department vehicles or equipment. Prohibited usage includes talking, texting, video conferencing (i.e. Skype, FaceTime) surfing the web, operating apps, etc.
- 5.18 Employees may not wear earphones attached to radios, tape players or other audio devices while operating Department vehicles or equipment.
- 5.19 Employees assigned to collection, recycling, street cleaning or other field operations shall equip themselves with the proper tools for their assigned tasks.
- 5.20 Employees shall be responsible for all safety equipment, fire extinguishers, E-Z passes, safety cones, etc., that are assigned to them to enable them to perform their duties.
- 5.21 Employees shall be responsible for safeguarding Department issued Parking Permits and Badges, both on and off duty.

CHAPTER VI

Trade Waste

- 6.1 Employees are prohibited from accepting, removing or helping to remove trade waste. Employees shall become familiar with and adhere to the Department Order on Trade Waste, and with the Department's Collection Regulations.
- 6.2 Employees shall not authorize nor allow asbestos, hazardous or toxic waste, regulated medical waste, or trade waste to be disposed of on Department vehicles, equipment, premises, or property.

- 6.3 Employees shall not allow individuals who are not employees of the Department to load any waste or recyclable materials into a Department vehicle.
- 6.4 Employees shall report any suspected trade waste or its improper collection to their supervisor and shall not collect such waste unless ordered to do so by a Supervisor.
- 6.5 Employees are prohibited from accepting removing, helping to remove or disposing of regulated medical waste.
- 6.6 Employees shall report any suspected regulated medical waste or its improper collection to their Supervisor.
- 6.7 Employees are prohibited from accepting, removing, helping to remove or disposing of asbestos waste, or hazardous or toxic waste.
- 6.8 Employees shall report any suspected asbestos, or hazardous or toxic waste at collection point or if observed inside vehicle/container to their Supervisor.

CHAPTER VII

Medical

- 7.1 Employees are required to become familiar and comply with all Orders and Rules of the Department relating to medical leave procedures that apply to their Bureau title. Medical leave includes leave that is the result of illness (sick leave), accident, line-of-duty injury (LODI), and Workers Compensation.
- 7.2 Employees shall not falsely claim, exaggerate or prolong any injury or illness.
- 7.3 Employees are required to be physically and mentally capable of performing the duties of their title.
- 7.4 Employees covered by the Department's Medical Leave Policy and Administrative Procedure must notify their work location that they are sick no later than one hour before their assigned tour of duty. Employees who become sick during the hour immediately before the start of their tour of duty must immediately notify their work location.
- 7.5 Employees covered by the Department's Policy and Administrative Procedure on Medical Leave must remain at home during paid sick leave unless they have received authorization to leave in accordance with Department procedures.
- 7.6 Employees covered under the Department's Policy and Administrative Procedure, while on medical leave, shall remain accessible and available for a sick leave visit. Employees shall take reasonable steps to ensure that they remain accessible and available for a telephone sick leave visit call and/or home visit by Supervised Sick Leave Unit personnel.
- 7.7 Employees shall immediately report any illness or injury occurring during their work shift to their Superior, and shall follow the Supervisor's directions including but not limited to directions to report immediately to an emergency medical facility or the DSNY Health Care Facility for evaluation.

- 7.8 Employees on medical leave, or reporting sick must report to the DSNY Health Care Facility in accordance with the Department's Medical Leave Policy and Procedure, or when ordered by authorized personnel.
- 7.9 Employees must submit medical documentation as required by the Department's Medical Leave Unit. Such documentation (the medical note) must be completed by a licensed medical practitioner, or must be a comparable document that is determined to be acceptable and appropriate by the Department's Medical Unit.
- 7.10 Employees covered by the Medical Leave Policy and Administrative Procedure must agree in writing to waive the confidentiality of medical records, including physician's or hospital records, relating to any injury or illness for which the employee claims that they are entitled to medical leave.

CHAPTER VIII

Supervisory Personnel

- 8.1 Supervisory personnel shall be responsible and accountable for carrying out all of their assigned tasks.
- 8.2 Supervisory personnel shall sign a blotter or time sheet when they arrive at, and when they leave Department field locations.
- 8.3 Supervisory personnel shall be responsible and held accountable for keeping their assigned locations in a safe and clean condition, and shall promote and enforce safety rules and regulations.
- 8.4 Supervisory personnel shall be responsible and held accountable for maintaining an updated inventory of tools, litter baskets, equipment, and supplies needed for the efficient operation of the Department, and shall safeguard them during their daily operation.
- 8.5 Supervisory personnel shall be responsible and held accountable for complying with all safety and fire regulations relating to the operation of Department premises, property, vehicles, and equipment.
- 8.6 Supervisory personnel shall be responsible and held accountable for following the proper procedures and complying with Department Orders, Rules and Regulations on the preparation and maintenance of Department files, records, reports and forms.
- 8.7 Uniformed supervisory personnel shall wear only the authorized Department uniform, which shall be kept neat, clean and presentable.
- 8.8 Supervisory personnel shall be responsible for the compliance with and enforcement of the Code of Conduct, and all other Orders, messages, Rules and Regulations of and applicable to the Department by all subordinates under their jurisdiction.
- 8.9 Supervisory personnel shall comply with and enforce the Department's Policy and Administrative Procedure on discrimination, including sexual harassment.
- 8.10 Supervisory personnel assigned to garages shall ensure that all vehicles have the proper license plates, vehicle code number, and export decals exposed as required.

- 8.11 Supervisory personnel shall allow only authorized material to be dumped at disposal facilities.
- 8.12 Supervisory personnel shall enforce and comply with Department Orders, Rules and Regulations on license requirements and inspection procedures, and on Parking and Environmental Control Board Notices of Violations.
- 8.13 Supervisory personnel must at all times act in a way which brings credit to the Department and provides a good example for their subordinates and fellow employees at all times.
- 8.14 Supervisors who become aware of any violations of the Department's Equal Employment Opportunity or Sexual Harassment Policy shall immediately notify the Department's Director of Equal Employment Opportunity.
- 8.15 Uniformed supervisory personnel assigned to field duties shall possess a summons book at all times while on duty, and shall safeguard all Department property, equipment and vehicles assigned to them.
- 8.16 Supervisory personnel shall notify the Borough Staff and the Office of the Inspector General when a trade waste, or hazardous or toxic waste condition exists, or has been allowed to exist.
- 8.17 Supervisory personnel shall properly inform the Office of the Inspector General or the Department of Investigation of any report that they receive from a subordinate, fellow employee or private citizen concerning alleged corruption, conflict of interest or other criminal activity by a City employee, or a person, business or organization dealing with the City.
- 8.18 Supervisory personnel shall ensure that all employees working under their supervision, accurately and properly sign in and sign out on the Daily Attendance Record, blotter, or such other form as may be designated by the Department.
- 8.19 Supervisory personnel shall accurately prepare and record information in Department files, records, reports and forms.

CHAPTER IX
Enforcement

- 9.1 Department Peace Officers shall comply with all Laws, Rules, and Regulations applicable to their Peace Officer status, and to their use of firearms.
- 9.2 Department Peace Officers shall exercise the highest degree of care when handling and safeguarding their firearms and shall comply with the Department's Rules and Regulations, Orders and Directives concerning firearms.
- 9.3 Department Peace Officers shall not leave firearms unattended, and shall not store their firearms in a bank safe deposit box.
- 9.4 Department Peace Officers shall maintain a clean firearm in good working condition at all times and shall not modify their firearms in any way without the permission of the Department's armorer.

- 9.5 Department Peace Officers and Enforcement personnel shall wear only the authorized Department uniform and uniform accessories, including body armor vest, while on duty, except when directed by proper authority to dress otherwise.
- 9.6 Department Peace Officers shall carry their firearms only in an authorized holster.
- 9.7 Outside headquarters, Department Peace Officers who are not in uniform shall carry their firearms in a concealed manner in accordance with the Law.
- 9.8 Off-duty Department Peace Officers traveling outside New York State shall not carry their firearms.
- 9.9 Department Peace Officers shall not carry their firearm while detached to B.C.C. for a non-enforcement assignment.
- 9.10 Department Peace Officers shall immediately report the theft or loss of a firearm to the police precinct having jurisdiction over the location of the occurrence, and shall notify their immediate supervisor, the Firearms Tactic Unit, and the appropriate headquarters staff.
- 9.11 Department Peace Officers shall immediately submit an incident report to the Director of Enforcement when un-holstering their weapon for any reason other than cleaning, changing, practicing at an authorized pistol range, or being ordered to do so by a Department firearms instructor or an authorized law enforcement agent other than the New York City Department of Sanitation.
- 9.12 Department Peace Officers shall familiarize themselves with the rules concerning the proper use of emergency lights and sirens.