

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		<h1 style="font-size: 2em;">262</h1>
Chapter:	Administrative Issues	
Subject:	Conflict of Interest	Page 1 of 4
Approved:	Cynthia K. Walcott, Deputy Commissioner	Effective: 9/1/2012 FINAL
Supersedes:	Family Services Policy 262	Dated: 10/16/98

Purpose

To guide staff in avoiding conflict of interest, and to establish formal procedures for review of certain situations in which such conflicts may arise.

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Policy

This policy combines personnel policies (11.5 and 5.2), administrative bulletins and former department policies. It applies to all employees of the division, working full or part time in interim, limited service, temporary or permanent positions. It does not apply to contract employees of the department.

All employees should be aware of situations in which conflict of interest may arise or could be perceived to arise, and take steps to minimize that conflict. Employees will discuss any questions about conflict of interest with their supervisor.

Examples of conflict of interest situations include:

- engaging in activities that are or could be in conflict with assigned duties as a state employee, either due to the nature of activity, or its interference with carrying out his or her duties as a state employee;
- using to advantage information about, or decision-making authority, over a person or an issue.

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- having a personal interest in any business transaction within their sphere of interest in state government;
- having a private business relationship that conflicts with their public duties.

When a conflict of interest waiver is required by this policy, the employee will apply for a waiver, and abide by the decision.

Income From Outside Sources (Moonlighting)

Employees in the classified service shall not have a personal interest in any business transaction within their area of influence in State government nor shall they have any private business relationship that may conflict with their public duties. This does not prohibit the following:

- Participation in the affairs of charitable, religious, non-profit education, public services, political, or civic organizations
- Awards for meritorious public contributions given by public service or civic organizations

Employees who participate or volunteer time to such organizations will take steps to minimize any conflict of interest that may arise. For example, employees who volunteer their time to a local board of a non-profit agency should excuse themselves from discussions of actual or potential contracts with the department.

Employees considering outside employment should consult with their agency/department personnel officer after first receiving approval from the Deputy Commissioner. With approval of the Deputy Commissioner, the personnel officer should then consult with Employee Relations Division of the Department of Personnel before commitments are made by employees.

Acceptance of Honoraria

Speeches and presentation which are related to State business and are delivered by an State employee to community and professional organizations will be made without charge. Employees may receive compensation or honoraria paid for public appearances or services unrelated to their official duties. Compensation or honoraria paid to the employees for

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teaching or for appearances related to the employees official responsibilities may be accepted if approved by the Deputy Commissioner.

Personal Relationships

Employees will not engage in personal relationships with clients, including dating and sexual relationships. Employees will carefully consider the potential conflict of interest, real or perceived, that may be created through any relationship that they may have with former clients and the impact this conflict of interest may have on their present ability to perform their work related duties. Employees will avoid personal relationships with employees they supervise, as such relationships may create an actual or perceived conflict with assigned duties.

It is the general policy of the State that no one will be employed in the same department, institution, or organizational unit that employs a relative. In addition, it is the general policy of the State that no one will be employed in the same department, institution, or organizational unit as a person with whom he or she resides, or the relative of a person with whom he or she resides.

Employees who during their employment become the relative (including by marriage or civil union) or domestic partner of another employee, or who begin to reside with another department employee, must make those facts known to the employing department. They will not be required to leave State employment solely as a result of that change in circumstances.

Employees requesting a waiver of this general policy must make the request to the Deputy Commissioner. If approved by the Deputy Commissioner, the Deputy Commissioner will make a request for a waiver to the Commissioner of Personnel.

Care of Children in Custody

The Division has the responsibility to take steps to ensure that decisions about the placement of children are made in a manner that does not place parents and caretakers at a disadvantage or somehow create a conflict as we work toward reunification.

Employees may not provide care in their homes for children in custody. Employees may not have children in custody in their homes for any purpose related to their employment.

Children in custody will not be placed in foster care, kinship care or respite care with the employees of DCF Family Services co-located contractors or other contractors with a close

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working relationship with the office that may create an actual or perceived conflict of interest.

The Deputy Commissioner may grant waivers of this policy in exceptional circumstances. Employees or contractors granted a waiver may receive compensation according to the applicable policies. A district office other than the one in which the person is employed or works will provide casework services to support the child’s placement.

Foster parents hired as state employees or contractors by the division may maintain their license and continue to foster the child presently in their home. The division will not make any additional placements with this foster parent while they are employed by the division or as a contractor.