 <b>VERMONT</b> DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		<h1>262</h1>
Chapter:	Administrative Issues	
Subject:	Conflict of Interest	Page 1 of 3
Approved:	Fredrick M. Ober, Division Director	Effective: 10/16/98 FINAL
Supersedes:	Administrative Policies 341; 342; 340	Dated: 5/13/93; 1/7/91; 8/18/94

## Purpose

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

## Policy

This policy combines personnel rules, 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.
- 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 of the manager regarding the waiver.

## Volunteer Activities

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This policy does not prohibit employees from participating in the activities of local non-profit, religious or community organizations, nor from accepting awards given by such 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.

#### **Acceptance of Honoraria**

Employees asked to make presentations related to their state employment on state time may not accept honoraria. Employees asked to teach or make a presentation on their own time may accept compensation with the approval of their manager.

#### **Personal Relationships**


Employees will not engage in personal relationships with clients, including dating and sexual relationships. Employees will avoid personal relationships with employees they supervise, as such relationships may create an actual or perceived conflict with assigned duties.

#### **Simultaneous Employment/Moonlighting Waivers**

The Woodside director must review all requests from Woodside temps who wish to work a second job in human services. The temp's immediate supervisor may review and approve requests for other types of employment.

The Deputy Commissioner must review all requests from other division employees who wish to work a second job in human services. The closest manager may review and approve requests for other types of employment. Counseling, case management or social work of any type involving contact with children or families served by the division are generally incompatible with duties of division employees.

#### **Care of Children in Custody**

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Employees may not provide care in their homes for children in custody. This includes foster care, kinship care, respite care or adoption. Employees may not have children in custody in their homes for any purpose related to their employment.

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

Foster parents hired as state employees by the division may maintain their license and continue to foster the child presently in their home. They may not accept additional children into their homes.

#### Applying For Waiver

- Employee discusses request for waiver with immediate supervisor.
- Employee and supervisor thoroughly discuss any conflict of interest that may arise or be perceived, and whether that conflict can be minimized or eliminated.
- When the supervisor agrees that conflict can be sufficiently minimized, the employee submits to the appropriate person (see above) a written request for waiver outlining:
  - the specific request;
  - how the situation represents an actual or perceived conflict of interest;
  - how the conflict will be minimized
  - a plan for the periodic review of the actual or perceived conflict of interest, including who will review it and how often.
- The person with decision-making authority over the waiver will make a decision within ten days. Negative decisions will be supported in writing.