

**FRANKLIN COUNTY JOINT EMERGENCY TELEPHONE SYSTEM BOARD
POLICY ON “CONFLICT OF INTEREST” IN THE AREAS OF
EMPLOYMENT AND AWARDING CONTRACTS**

A. POLICY

1. PURPOSE:

The Franklin County Joint Emergency Telephone System Board (FCJETSBS) is committed to the highest standards of professional conduct and expects all employees and Board Members to conduct their business accordingly.

Decisions by employees and Board Members are to be made in the best overall interest of the citizens of Franklin County and should not be influenced by family, personal or economic relationships. Care must be taken to ensure that family, personal or economic relationships do not influence decisions concerning the employment process or the awarding of contracts. Actions in these matters must be unbiased and fair so they do not create an actual conflict of interest or, in the public’s mind, the appearance of a conflict of interest.

For the sake of clarity, “conflict of interest” is defined by the FCJETSBS as follows:

Conflict of Interest – The basic definition is a conflict between the private interests and the official responsibilities of a person in a position of trust, such as a government official or Board Member. In a broader sense, a conflict of interest can be defined as the use, or attempted use, of a person’s official position to secure benefits, privileges, exemptions or advantages for themselves, a family member, a personal friend or an organization that are different from those available to the general public.

For this purpose, a “conflict of interest” policy has been developed and adopted by the FCJETSBS.

2. POLICY STATEMENT:

“It is the policy of the FCJETSBS to hire or promote employees and to award contracts on the basis of merit, qualifications and value to the citizens of Franklin County so as to avoid the perception of favoritism and discrimination. The intent of this policy is to insure that hiring decisions, promotions and the awarding of contracts are not influenced by an existing relationship between a candidate and an employee or Board Member but rather are influenced only by the merit, qualifications and value the candidate possesses which are applicable to the assignment in question.”

3. APPLICABILITY:

This policy applies to all FCJETSBS Members and all employees paid by the FCJETSBS. This policy does not absolutely preclude the utilization of relatives of Board Members or employees. However, it establishes allowable exclusions, conditions and procedures that apply when situations arise involving related parties.

4. EXCLUSIONS AND CONDITIONS:

- a. The FCJETSBS realizes there may be pre-existing relationships among parties which are contrary to this policy. It is the purpose of this policy to avoid creating any new situations where relatives are employed or contracted into potential “conflict of interest” situations and not to affect the continuation of employment where these types of relationships currently exist.
- b. Any pre-existing related party relationship that pre-dates this policy shall be exempt under this policy. However, if the existing employment or contract relationship is changed so that this conflict no longer exists, i.e., the related party transfers to a position that no longer reports to the relative supervisor or the contract expires, this policy will apply for future decisions, i.e., the related party then could not re-employ the other into a subordinate position or renew the contract.
- c. The employment or contracting of related parties into positions where an employee or Board Member will have influence over the other’s status or job security is regarded as a violation of this policy. Even if there is no evidence of favoritism in the selection process, the existence of the situation could precipitate questions and create the appearance of discrimination against unrelated candidates.
- d. Should a related party become a candidate for employment or the award of a contract, the official involved (either a Board Member or the agency head) will not participate in the selection process. This will lessen the perception that bias was involved in the final decision.

5. RELATED PARTY DEFINITIONS:

Family Relationship – Family includes the following: parent, spouse, child, sibling, grandparent, grandchild, aunt, uncle, cousin, in-law or step relative.

Personal Relationship – A relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature.

Economic Relationship – A fiduciary relationship in which one party benefits by receiving financial remuneration from the other such as with a landlord/tenant relationship or a business partnership.

B. PROCEDURE:

The procedures that support this policy are established to avoid actual or perceived conflicts of interest, on a going forward basis, in the employment process and the awarding of contracts. By adhering to these procedures, which prohibit related parties from having influence over each other’s status, potentially discriminatory situations will be avoided altogether.

- a. The FCJETSB will not encourage or authorize an appointment where employment would result in a supervisor/subordinate relationship between related parties.
- b. Prior to the selection process for employment or the awarding of a contract, if a related party relationship exists, it shall be the responsibility and obligation of the employee or Board Member involved to disclose the existence of the relationship to the full Board and the agency head. If it is learned by the Board that an appointment was made in contravention of this policy, it shall become void.
- c. One related party will not supervise another or work in a position which has an audit or control function over the other (unless the situation pre-dates this policy).
- d. One related party will not be involved in evaluating the other's job performance or in making recommendations for salary treatment, promotions or any other employment related decisions.
- e. Notwithstanding the language in section A, subsections 4.a and 4.b, the Board reserves the right to take prompt action if pre-existing relationships are found to have created an actual conflict of interest which has the potential to diminish the public's trust or is disruptive to the work place.
- f. Board Members and persons in supervisory positions are prohibited from dating employees or contractors who are paid by the FCJETSB so as to avoid the perception of favoritism and/or discrimination.

C. REMEDY FOR POLICY VIOLATIONS:

If a conflict of interest is reported to the Board, the circumstances of the allegation will be evaluated and if the majority of the Board believes the behavior to be in contravention of this policy, corrective action may be taken up to and including termination of employment or, in the case of a Board Member, removal from the Board.

If the "potential" for a conflict of interest is reported to the Board concerning a related party relationship, the circumstances of the allegation will be evaluated and if the majority of the Board believes the behavior to be unacceptable, the individuals involved will be given the opportunity to correct the situation or decide who is to be transferred to another position or terminated if no position is available.

(Legal review and approval: 10/07/08)

Approved by the FCJETSB: _____ Date: _____
 Jeff Tharp, FCJETSB Secretary