



Ethics



Policy A-HR-3

June 29, 2006

Purpose: Each employee is responsible for serving the public in an honest, effective, and friendly manner. Each employee is also expected to exhibit the highest possible ethical and moral standards, and to conduct oneself, both on and off the job, within the guidelines set forth in this policy.

Policy: All employees are expected to maintain the highest possible ethical and moral standards and to perform within the laws of the state of Kentucky. Pursuant to KRS 11A.045, acceptance of gifts by public servants is permitted only under certain circumstances.

Procedure: Listed below are examples that may contribute to a violation of this policy:

- I. Conducting oneself in any manner that discredits the operations or ethical standards of the department.
- II. Engagement in any activity that is illegal or offensive to other employees or general public.
- III. Use of his/her official position for personal gain, or engaging in any business or transaction of financial or other interest (direct or indirect), which is in conflict with the proper performance of their official duties.
- IV. Disclosure of confidential or proprietary information about the property, business, operations, or affairs of the department without proper authorization. Nor shall he/she use such information to advance the financial or other private interest of oneself or others.
- V. Acceptance of any valuable gifts, whether in the form of services, loans, item or promise from any person, firm or corporation that is interested, directly or indirectly, in any manner whatsoever, in business dealings with the department.
- VI. Granting in the discharge of duties, any improper favor, service, or item of value.
- VII. Representation of any private interest in any action or proceedings against the department.

- VIII. Any financial interest in companies that do business with the department, except as allowed for by law. Employees who have any doubt concerning a possible violation of this issue are advised to consult their own attorney.
- IX. Engagement in employment or acceptance of private employment with, or rendering of services for an employer, when that employment or service is incompatible with the proper discharge of their independent judgment or action in the performance of official duties.
- X. Servicing of his/her own or relative's cases on any occasion. Complaints or requests for service relating to an employee case shall be processed and serviced in accordance with the authorization of the Director or designee.
- XI. Sharing of confidential information and/or records concerning client, applicant, current or former recipient that may be deemed inappropriate.
- XII. Essentially, there are three (3) major types of conflict of interest that all employees need to keep in mind:
- A. CRIMINAL LIABILITY FOR UNLAWFUL INTEREST IN A PUBLIC CONTRACT: This includes using one's office to obtain a public contract for oneself, a family member, or a business associate. After separation from employment with the Board of Health of Three Rives District Health Department (hereafter referred to as the *Board*), no former employee is permitted to have any interest in a contract let by the Board except as is permitted under the Kentucky Ethics Law;
 - B. KENTUCKY ETHICS LAW: KRS Chapter 11A, enacted to protect the integrity of government. Among other things, the law prohibits Board employees from receiving compensation, other than from the Board, for any matter considered by the Board. The Kentucky Ethics Commission reviews ethics violations, and the Commission has authority to disclose evidence to the appropriate prosecuting attorney when warranted. Violations are punishable by a \$5,000.00 fine and if found guilty of a Class D felony is punishable by one (1) to five (5) years in jail, or both. The law also places the following specific restrictions on employees and/or former employees:
 - 1. Employees are prohibited from representing a client during employment (and for twelve (12) months after employment ceases) on any matter that the employee is (or was) involved in deciding or recommending.
 - 2. No one may disclose, without permission, confidential information that has been acquired as an employee.
 - 3. No employee (nor former employee during the twelve (12) months immediately following termination of employment) may participate in a license proceeding that affects a license held by a member of the employee's immediate family or any business association in which the employee (or former employee) owns or controls more than five percent

(5%) interest if that business has sold goods or services to the Board in excess of \$1,000.00.

4. Employees are prohibited from using their official position to secure anything of value.

C. INCOMPATIBILITY OF OFFICE: Certain positions of public employment are inherently incompatible. Generally, “offices are considered incompatible when one is subordinate to, or in any way a check upon the other; or when it is physically impossible for one person to discharge the duties of both”.

District Director

Date

Chairperson, Three Rivers District Board of Health

Date