

TITLE: Financial Conflict of Interests Policy

Purpose

Ford County ("County") is committed to ensuring that all employees fulfill an obligation to uphold the public and community trust; protect and advance the integrity of the County; and act in the best interests of the County while carrying out their official County duties. The purpose of this Financial Conflict of Interests (FCOI) Policy is to ensure that employees identify and disclose any and all potential financial conflict of interests and conduct themselves in a manner that will not compromise the integrity of the County.

Scope

This Policy applies to all employees, including those whose duties are required in federal and state grant funded positions, excluding County Commissioners. See Board of County Commissioners Conflict of Interest Policy for Commission members.

Definitions

"Financial Conflict of Interest" - An actual Financial Conflict of Interest exists when financial or personal considerations compromise an employee's objectivity, professional judgment, professional integrity and/or ability to perform his/her responsibilities and duties for the County. A perceived or potential Financial Conflict of Interest can occur when, although there is no actual Financial Conflict of Interest, the circumstances are such that a reasonable person might question whether a decision-maker is biased in carrying out their professional responsibilities for the County. The following non-exclusive list provides examples of situations that often give rise to an actual or potential Financial Conflict of Interest.

A County employee:

- has an ownership interest in an entity/vendor with which the County does business;

- receives significant salary or other compensation or benefits from an entity/individual with which/whom the County does business;
- receives individual gifts or individual discounts from an entity/individual with which/whom the County does business, when the donor's intent is to influence such individual in the performance of his/her official County duties;
- is an officer, director, employee or other key decision-maker for an entity with which the County does business;
- receives significant commissions or fees as part of an outside business from a customer/client/entity with which the County also does business; or
- has a family member or close personal relationship with someone who fits into one of the categories described above.

"Family Member" - A spouse, parent, sibling, child, or any other relative, if the latter resides in the same household as the County employee.

A. Disclosure of Interests. Although most potential Financial Conflict of Interests are and will be deemed inconsequential, in the interest of avoiding even the perception or the appearance of an FCOI, employees are responsible for disclosing potential FCOI to their supervisors for review and determination of the appropriate course of action. An employee may be required by his/her supervisor to complete a written disclosure form in connection with the employee's involvement in making decisions and fulfilling duties on behalf of the County. In determining whether an interest needs to be disclosed, employees and supervisors should err on the side of caution and interpret and construe this FCOI Policy broadly in favor of disclosure.

B. Agreements, Contracts and Purchases. County employees shall not knowingly promote and enter into any agreement, contract or other binding business/vendor relationship ("Business Agreement and/or Business Contract") on behalf of the County when a Financial Conflict of Interest exists. The term "Business Agreement and/or Business Contract" includes, but is not limited to, purchase agreements for goods, services and real property, sales agreements, grant contracts, facilities projects/contracts, memorandum of understanding (MOU), letter/arrangement agreements, commitments, leases, affiliation agreements, etc. A Financial Conflict of Interest shall also preclude an employee from participating in the selection and negotiation, or in any other decision-making processes, in the following circumstances:

- Employee is employed by or is the other party to the Business Agreement and/or Business Contract.
- Employee and his/her Family Member(s) have owned more than \$5,000 or 5% of the other party to the Business Agreement and/or Business Contract at any time in the preceding 24 months.
- Employee and his/her Family Member(s) received at least \$2,000 in taxable compensation (wages, commissions, fees, etc.) in the preceding two (2) tax years from the other party to the Business Agreement and/or Business Contract.
- Employee and his/her Family Member(s) received at least \$500 in gifts in the preceding 24 months from the other party to the Business Agreement and/or Business Contract, unless a gift is due to a personal relationship and clearly not for the purpose of influencing the official duties/responsibilities of the County employee.
- Employee or his/her Family Member(s) holds a key decision-maker position with the other party to the Business Agreement and/or Business Contract (officer, director, partner, executive, proprietor, etc.)

C. Donations/Gifts. County employees who participate in selecting vendors, products and contractors and/or participate in forming Business Agreements and/or Business Contracts should avoid accepting substantial individual gifts and individual discounts from outside individuals and entities that are existing or potential vendors and contractors for those Business Agreements and/or Business Contracts when it is clear the intended purpose of the donor is to influence the official duties and responsibilities of the County employee. Occasional meals and other non-extravagant gifts are acceptable as long as they are not conditioned upon the employee taking official action on behalf of the County. An employee who believes he/she may have inadvertently accepted a gift giving rise to an actual or perceived Financial Conflict of Interest, should notify his/her supervisor immediately in accordance with this Policy.

Employees are encouraged to consider donation of any gifts and/or proceeds for the benefit of the County. A gift received as a result of a purchase made by the County will typically be deemed as a gift to the County and not any individual employee, unless the County determines otherwise.

