

POLICY 801 CONFLICT OF INTEREST

1. Purpose. In order to ensure that County decisions be made in proper channels of the governmental structure; that public office not be used for improper personal gain, and that conflicts between private interests and public responsibilities be avoided, employees are expected to adhere to the following conflict of interest guidelines.

2. Specific Conflicts Defined.

2.1 Incompatible employment.

2.1.1 No employee will engage in or accept private employment or render services to any other governmental body or to anyone in the private sector which would tend to be incompatible with the proper discharge of his or her duties, unless otherwise permitted by law or unless disclosure is made in accordance with County Code Provision 3.50.010.

2.2 Representing private interests before agencies or court.

2.2.1 No employee who is admitted to practice law will represent, as an advocate any private interests, other than his or her own or that of his or her own family, in any proceeding adverse to the county before any federal or state court or agency.

2.3 Disclosure of confidential information.

2.3.1 No employee will, without proper authorization, disclose confidential information, nor use such information to advance the actual or anticipated financial or personal interests for him or herself to others.

2.4 Gratuities or Kickbacks.

2.4.1 An employee will not accept anything of value whether in the form of a gift, service, loan or promise from any person, which may impair his or her independence of judgment or action in the performance of his or her official duties.

2.4.2 No payment of a gratuity or kickback will be made by or on behalf of any person and be accepted by any employee as an inducement or reward for the latter's action in procuring the award of any contract or order.

2.4.3 It is not a conflict of interest for an employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee.

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- 2.5 Failure to disclose interest in legislation before the County Board.
 - 2.5.1 Employees or public officials who have been asked to render official opinions or recommendations to the county board on legislation must disclose the nature and extent of any personal or financial interest in the proposed legislation on behalf of themselves or their families.
 - 2.5.2 The disclosure must be made before any debate commences on the particular legislation and will consist of an announcement to be recorded in the journal of proceedings and a request to abstain from voting. Notwithstanding abstention from voting as may be allowed by the board, it is the responsibility of each employee or public official to personally ascertain that such actions do not conflict with Wis. Stat. § 946.13.
- 2.6 Nepotism forbidden.
 - 2.6.1 Employees will not engage in nepotism as outlined in Policy 103.
 - 2.6.2 Employees will not use their positions to influence the county to employ a member of their immediate family or to retain the services of a member of their immediate family as an independent contractor or agent.
- 2.7 Conducting private business on county premises and time.
 - 2.7.1 Employees will not conduct their personal or private business while on county premises and engaged in their public duties.
- 3. Prohibited Contracts with the County.
 - 3.1 An official, employee, or business in which an official or employee holds a 10% or greater interest will not enter into a contract with the county involving a payment of or payments of more than \$3,000 within a 12 month period unless the official or employee has made written disclosure of the nature and extent of such relationship or interest to the County Board.
 - 3.2 Pursuant to Wis. Stat. §946.13, an official or employee will not participate in the formation of a contract(s) with the County involving receipts or disbursements of more than \$15,000 in any year.

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- 3.3 Contracts are not prohibited if they are with, or tax credits or payments are received by, public officers or employees for wildlife damage claims or abatement under Wis. Stat. § 29.598 for farmland preservation under Wis. Stat. ch. 71, subch. IX and Wis. Stat. § 91.13, soil and water resource management under Wis. Stat. § 92.14, soil erosion control under Wis. Stat. § 92.10, 1985, animal waste management under Wis. Stat. § 92.15, 1985, or non-point source water pollution abatement under Wis. Stat. § 281.65.
- 3.4 An employee or agent acting on behalf of Eau Claire County will not directly or indirectly participate in or benefit from a Procurement when the employee, agent or their immediate family has a financial interest in the Business or organization, or has a potential for financial gain as a direct result of their actions.
4. "Anything of Value" Defined.
 - 4.1 Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but DOES NOT INCLUDE such things as compensation and expenses paid by the state or county, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials or unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals.
 - 4.2 The County's working definition of "anything of value" is anything with a value in excess of twenty-five dollars (\$25.00). When an employee receives something of value, the employee should take one of the following three steps.
 - 4.2.1 Return the item and document return of item;
 - 4.2.2 Donate the item to charity and document the donation;
 - 4.2.3 If the item is of potential use to the County, consult with Administration on appropriate disposition.
5. County Code. See County Code Chapter 3.50, Conflict of Interest.
6. Cross Ref. Policy 103 Nepotism, Policy 803 Outside Employment.

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