


RESOLUTION NO. 105-16

A RESOLUTION for the Mason County Conflict of Interest Policy.

WHEREAS, it is in the best interest of Mason County to establish a Conflict of Interest Policy to guide employees on ethical standards of conduct and meet the federal standards.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS of Mason County, that we hereby adopt the Mason County Conflict of Interest Policy (Attachment A).

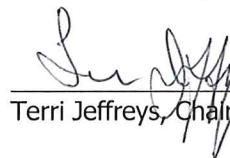
ATTEST:


Melissa Drewry, Clerk of the Board

APPROVED AS TO FORM:


Tim Whitehead, Chief DPA

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Terri Jeffreys, Chair


Tim Sheldon, Commissioner


Randy Neatherlin, Commissioner



Mason County Conflict of Interest Policy

I. PURPOSE:

Mason County maintains a Code of Ethics to guide employees against improper activities that could damage the County's reputation and otherwise result in serious adverse consequences to the County and to the individuals involved. This code's purpose is the establishment of ethical standards of conduct for all Mason County employees

RESPONSIBILITY:

Each employee has a responsibility to uphold this policy. An employee's actions under this policy are significant indications of the individual's judgment and competence. Accordingly, failure to consider or adhere to the principles of this policy will be grounds for appropriate disciplinary action. Employees are committed and bound by the following guidelines:

1. Public belief in the integrity of government is based on the actions of the government's employees.
2. Independent, impartial, accountable and responsible behavior is the duty of each employee to the County and its' citizens
3. Governmental decisions and policies must be made within the proper channels of the governmental structure
4. Public office is not to be used for personal gain

AUTHORITY & REFERENCES:

RCW 42.52.02
RCW 41.06.250

II. DEFINITIONS:

The following definitions will be used for the purposes of these policies and procedures.

Business entity: Any corporation, general or limited partnership, sole proprietorship or individual (including a private consulting firm), joint venture, unincorporated association or firm, institution, trust, foundation, or other organization, whether or not organized for profit

Complainant: The individual bringing a complaint

Confidential information: All information, whether transmitted or transcribed orally, written or encoded electronically, which is of such a nature that it is not, at that time, a matter of public record or public knowledge

Departmental Director: An elected official, manager or supervisor directly in charge of a specific department (e.g., the County Treasurer is the Departmental Director of the Treasurer's Office; the Public Works Director is the Departmental Director of the Public Works Department)

Family member: Includes spouse, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, persons living in the same household, or anyone otherwise financially dependent upon an employee

Gift: A voluntary transfer of any item of economic value from one person or entity to another made without cost and does not result in any kind of legally enforceable contract. It does not include the solicitation, acceptance, receipt or regulation of political campaign contributions regulated in accordance with provisions of federal, state or local laws governing campaign finances

HRM: Human Resource Manager, a position appointed or designated by the Board of County Commissioners to handle personnel, staffing and other related matters

Interest: Direct or indirect monetary or material benefit received by an employee as a result of a contract, transaction, zoning decision or other matter that is, or may be the subject of, an official act or action by or with the County. Excepted would be those contracts, transactions, zoning decisions, or other matters that by their terms and by the substance of their provisions confer the opportunity and right to realize the receipt of similar benefits to all other persons and/or property similarly situated

Nominal Retail Value: A value of less than \$25.00 (twenty-five dollars)

Official act or action: Any legislative, administrative, appointive or discretionary act of any employee of the County or any agency, board, committee or commission thereof

Personnel File: Refers to the employee's employment personnel file maintained in Human Resources.

Public employee: Any person, holding a position by appointment or employment in the service of the County, whether paid or unpaid, including members of any board, committee or commission thereof

Public official: Any person holding a position by election, whether paid or unpaid, including members of any board, committee or commission thereof

Respondent: The individual named in a complaint allegedly causing harm.

III. POLICIES:

Affected Parties

This policy shall be applicable to all employees of the County. (Elected Officials and qualifying Public Officials refer to RCW 42.23 and 42.52.)

Conflicts of Interest Defined

Employees are expected to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict between their personal interests and those of the County. Mason County requires that the transactions employees participate in are ethical and within the law, both in letter and in spirit. Whenever employees are in doubt, they should consult with their supervisor, Departmental Director or the Human Resource Manager. Mason County recognizes that different organizations have different codes of ethics. However, just because a certain action may be acceptable by others outside of Mason County as "standard practice" that is by no means sufficient reason to assume that such practice is acceptable as an employee of Mason County.

While it is not possible to develop a comprehensive detailed set of rules to cover every situation, the County does adhere to and will strictly enforce any and all state laws or regulations relating to conflicts of interest, appearance of fairness and ethics that are applicable to the employees and officials of this County. The statutes provide detailed outlines of what constitutes ethical and appropriate behavior while employed with the County.

If an employee or someone, with whom the employee has a close personal relationship, has a financial or employment relationship with a vendor, potential vendor, or any person or business entity doing business or wishing to do business with the County, then the employee has an "interest," as that term is defined above. In such circumstances the employee is required to disclose that "interest."

For purposes of this policy, an employee shall be deemed to have an interest in the affairs of:

1. The employee's spouse or domestic partner, or dependent children
2. Any person or business entity with which a contractual relationship exists with the employee

3. Any business entity in which the employee is an officer, director, member or employee

4. Any business entity in which the employee owns or controls an interest either directly or indirectly

The employee must disclose this "interest" in writing to their Departmental Director. The Departmental Director with the help of the Support Services Director and the Human Resource Manager will determine what course of action, if any, must be taken to resolve any conflict he or she believes may exist.

Examples of Conflict of Interest

A conflict of interest may arise, by way of example only, if an employee:

- Participates in the selection, award or administration of any contract when they have a real or apparent interest;
- Accepts non-nominal (greater than \$25 in value) gifts from vendors, potential vendors or any third-party who does business with the County;
- Accepts ANY form of remuneration or non-business related entertainment from a third-party who does business with the County;
- Sells to third parties any information, products, or materials acquired from the County;
- Engages in outside business activities in such a way or to such an extent that the outside business activities adversely affect the County or the employee's job performance;
- Performs outside work for a vendor of the County or any third-party that does business with the County;
- Engages in any outside employment or any other business undertaking to his or her personal gain that is, or can ALSO be, perceived to be prejudicial to the best interest of Mason County;
- Uses proprietary and/or confidential information for personal gain or to the County's detriment; uses assets or labor for personal use.

To the extent permitted by federal, state, local laws and regulations, violations of these standards may cause penalties, sanctions or other disciplinary actions to be taken against the County's officers, employees or agents or the contractor's potential contractors, subcontractors or their agents. Should the conflict be severe enough the County may take disciplinary action, which may result in termination or they may no longer transact business with the third party.

The County has the sole discretion to:

1. Determine whether such a conflict of interest exists and
2. Determine the course of action to be taken to remove or end the conflict.

Employees are encouraged to seek assistance from their supervisor or Departmental Director with any legal or ethical concerns. However, Mason County realizes this may not always be possible. As a result, employees may contact the Human Resource

Manager to report anything that they cannot discuss with their supervisor or Departmental Director.

Political Activities

Employees shall comply with provisions of RCW 41.06.250, which generally prohibits compulsory assessment or involuntary contributions and solicitation on public property for any partisan political purposes. If an employee, an employee's spouse, or the parent or guardian of an un-emancipated minor employee is elected to the Board of County Commissioners, the employee shall be deemed to have resigned from County employment upon the date of certification of the results of the election, if required by State law.

This provision shall not apply to persons employed as unskilled day laborers earning less than \$100.00 (one hundred) per month or to public officers exempt from prohibition of RCW 42.23.

Approved by & date	Approved by & date:
Originated by:	This Revision Date: