

Chapter                      Fiscal Management  
Subject:                      Conflict of Interest  
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ODJFS Rule:                5101: 2-47-26.1(G)(1)  
COA Standard:            PA-ETH 2.01; 2.02; 2.03  
Review/Revised:        5/1/20; 4/28/21

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### **Definition and General Description**

*Conflict of Interest* is defined as an actual conflict, or perceived conflict, between the private interests and employment responsibilities of a person in a position of trust.

This policy and procedure ensures that contracts and business arrangements serve the Court and NRTC's best interest and no solely private interests. This policy is applicable to all board members, advisory group members, facility staff, contract staff, and volunteers. All parties shall not improperly use their position, title, or authority to secure personal financial gain or the financial gain of another. All parties involved in a contract or business arrangement avoid actual or perceived conflict of interest and must provide full disclosure of any potential conflict of interest. Any party, when a potential conflict may exist or personal objectivity may be compromised, will not participate in any discussion, vote, or decision with respect to the contract or business arrangement.

Contracts and business arrangements must serve the facility's best interest. NRTC does not permit funds to be paid or committed to any corporation, firm, association, or business in which any of the members of the governing body of the agency, executive personnel or their immediate families have any direct or indirect financial interest, or which any of these persons serve as an officer or employee, unless the services or goods involved are provided at a competitive cost or under terms favorable to NRTC.

### **Supplementary compensation**

An employee shall not solicit or accept compensation from a person or entity other than the Court for the performance of the employee's duties and responsibilities with the Court or a vendor who does business with the Court or for services rendered on projects the employee has recommended in the performance of the employee's duties and responsibilities with the Court or a vendor who does business with the Court.

### **Gifts, bequests, favors, and loans**

Neither an employee or any person residing in the employee's household shall accept a gift, bequest, favor, or loan from any person, entity, or vendor likely to do business or seek to do business with the NRTC, or any other person or entity under circumstances that might reasonably be considered as influencing, attempting to influence, or appearing to influence the performance of the employee's duties or responsibilities.

For the purpose of this policy, "gifts, bequests, favors, and loans" include, but are not limited to, each of the following: Cash or a cash equivalent, such as a gift card; Tickets or passes to sporting or entertainment events; Meals and drinks not provided to all attendees at an event or gathering or all members of a department or group. This includes prepackaged food items, such as fruit baskets, that have more than a nominal value; Lodging accommodations at either a commercial or private facility;

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Promotional items, such as pens, pencils, calendars, shirts, and portfolios of more than a nominal monetary value; Membership to private clubs, including social, athletic, or country clubs; The promise of employment; Payments or Services; Anything else of more than nominal value.

Exceptions may exist for gifts that are motivated by the giver's family relationship or a personal friendship with the employee, rather than by the employee's public position.

### **Honorarium**

An employee shall not solicit or accept an honorarium for speaking or making a presentation to any group or organization when the employee's appearance is promoted or the employee is identified by that group or organization as an employee of the Court or NRTC or for speaking or making a presentation to any group or organization on a topic on which the employee might reasonably be perceived to possess special knowledge or subject matter expertise because of or through the employee's employment with the Court or NRTC.

For the purpose of this policy, "honorarium" includes cash or a cash equivalent, such as a gift card, but does not include ceremonial gifts or awards that have nominal monetary value, unsolicited gifts of nominal value, or trivial items of informational value. Paragraph

6.1.11 (e) of this policy does not prohibit an employee from accepting the payment of actual travel expenses, including any expenses incurred in connection with the travel for lodging, and meals, food, and beverages provided to the employee.

### **Awards, commemoration of events, and recognition of service**

An employee may accept from groups or organizations items, other than cash or a cash equivalent such as a gift card, having an apparent value of \$50.00 or less, including books, plaques, certificates of appreciation, and personal accessories intended as awards, commemorations of events, including speeches or presentations to the group or organization or completion of a course or program, and recognition of service, including terms on boards, commissions, advisory committees, and task forces.

### **Responsibility of all employees**

All employees have a responsibility to promptly and accurately report any incident that violates this policy to their Supervisor, Manager, or facility Director. All employees have a responsibility to seek clarification from their Supervisor, Manager, or facility Director of any section of this policy if evaluation and guidance is needed.

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Supervisors who receive any information regarding possible violations of this policy shall immediately contact the Court Administrator regarding the incident. Supervisors will respect and enforce the all provisions of this policy.

All reports of conduct or behavior that violate this policy will be investigated immediately. The Court Administrator is responsible for initiating and managing inquiries and investigations of violations of this policy. The Court Administrator is also responsible for reporting all alleged violations of this policy to the Administrative Judge. Employees who are found to have violated this policy will face disciplinary action, up to and including termination, depending on the nature of the violation.