



OREGON YOUTH AUTHORITY

Policy Statement

Part 0 – Mission, Values, Principles



Subject

Conflict of Interest

Section – Policy Number:
0-2.4

Supersedes:
I-D-1.4 (1/96)

Effective Date:
12/15/06

Date of Last Review/Revision:
None

Related Standards and References:

- [Oregon Constitution](#), Article XV, Section 7
- [ORS Chapter 244](#) (Government Standards and Practices)
- [OAR 199-001-0030](#) (Advisory Opinions)
- [Oregon Government and Standards Advisory Opinions](#)
- American Correctional Association, *Standards for Juvenile Correctional Facilities*; 3-JTS-1A-29 (Political Practices); 3-JTS-1C-23 (Code of Ethics)
- OYA policy: [0-2.0](#) (Principles of Conduct)
[0-2.1](#) (Professional Standards)
[0-2.2](#) (Relationships with Offenders and their Families)
[I-A-1.0](#) (Lobbying)
[I-D-3.11](#) (Political Activity)

Related Procedures:

- OYA General Field Procedure: [Conflict of Interest](#)

Interpretation: Employee Services

Approved:

Robert S. Jester, Director

I. PURPOSE:

The purpose of this policy is to define and describe activities that would create a conflict of interest for staff.

II. POLICY DEFINITIONS:

Conflict of Interest: Any relationship that is or appears to be not in the best interest of the organization. A conflict of interest would prejudice an individual's ability to perform his or her duties and responsibilities objectively.

III. POLICY:

Staff will not place themselves in conflict of interest situations and will follow the general standards outlined herein.

IV. GENERAL STANDARDS:

A. Conflict of interest

1. A conflict of interest may be any transaction or situation where a person acting in the capacity of an OYA staff takes action or makes any recommendation where the effect would be to benefit the person.
2. Staff will declare in writing any potential conflict of interest to their supervisor/manager as soon as the staff knows a potential conflict of interest exists.
 - a) The supervisor will forward the written declaration to the appropriate Assistant Director who will consult with Employee services to determine if a conflict of interest exists.
 - b) The Assistant Director may direct staff to refrain from engaging in the conduct causing the potential conflict of interest while the matter is under review.
 - c) If the Assistant Director determines a conflict of interest exists, he/she will direct the staff to cease the activity causing the conflict.
3. Conflicts of Interest include but are not limited to:
 - a) Business relationships with offenders and their families.

Staff are in a position of power over offenders, and therefore the following acts are strictly prohibited:

 - (1) Bartering, trading, selling or purchasing between offenders, their families and staff;
 - (2) Employment of offenders and/or their families by staff or the staff's immediate family to perform any kind of work.
 - b) Relationships with outside contractors and agencies, including boards and advisory committees.

(1) Staff will not serve as an officer or board member of any private business or enterprise that the OYA licenses or regulates, or contracts with.

(2) A staff may, however, serve in an unpaid advisory or consultant capacity to such private businesses or enterprises.

c) Private social service practice.

(1) A staff who is also employed in a private social service practice may not provide direct services in that practice to an offender in OYA custody or to that offender's family.

i. If a client or family of a staff's private social service practice becomes involved with the OYA, the staff will immediately report this fact to his/her Supervisor/Manager and suspend private social services until the OYA involvement in the case is determined.

ii. If the OYA's involvement with the client or family is to extend beyond a 30-day assessment period, the staff will discontinue providing private social services.

(2) Staff will neither refer a client nor advise other staff to refer clients to a private social service practice that employs one or more of the staff's immediate family members.

i. OYA case information will not be considered available to or used by staff in a private social service practice.

ii. Staff may be a foster parent, daycare provider, or an employee of an agency that contracts with the OYA unless the staff's position with the OYA could influence referral, regulation or funding of such activities.

iii. Prior to engaging in such activity, however, the staff must obtain approval from the appointing authority. Documentation of the approval must be on file in the office of the Director.

(3) Staff may not be employed by a private business or enterprise that has a contract with the OYA if one or more members of the staff's immediate family is an officer, board member or subcontractor of the contractor.

B. Personal gain

Staff working in a private business or enterprise that contracts with the OYA may not achieve personal monetary gain in that capacity because of his/her actions in their OYA role.

C. New Staff

New staff will be made aware of this policy during new employee orientation.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO