

**Idaho Department of
Juvenile Corrections
Administrative
Policy/Procedure**

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SUBJECT: CONFLICT OF INTEREST

CATEGORY: HUMAN RESOURCES

Policy

The Idaho Department of Juvenile Corrections (IDJC) employees shall maintain a high standard of honesty, impartiality, and conduct to ensure proper performance of state business and to strengthen faith and confidence in the integrity of state government and state employees.

A conflict of interest or a perceived conflict of interest can arise from a financial or personal relationship. A conflict of interest, whether actual or perceived, can have a detrimental impact on or call into question the IDJC's ability to perform its statutory obligations.

Conflict of Interest: defined by Idaho Code section 74-403(4) as any official action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private [pecuniary benefit](#) of the person or a member of the person's [household](#), or a business with which the person or a member of the person's household is associated, unless the pecuniary benefit arises out of the following:

- a. An interest or membership in a particular business, industry, occupation, or class required by law as a prerequisite to the holding by the person of the office or position;
- b. Any action in the person's official capacity which would affect to the same degree a class consisting of an industry or occupation group in which the person, or a member of the person's household or business with which the person is associated, is a member or is engaged.

It is therefore the policy of the IDJC that employees shall report any situation which is or might be perceived as a conflict of interest. An employee is considered to have a potential conflict of interest when:

- An employee profits, directly or indirectly, from public funds under their control, or has a private interest in any contract or grant made in their official capacity at the IDJC;
- An employee accepts or serves in any policy-making position or office of an organization, board, or commission in which an opportunity for conflict of interest might arise between the activities of the organization, board or commission and their employment with the IDJC;
- An employee enters into additional employment where the duties of that additional employment interfere or otherwise compromise the employee's duties and responsibilities at the IDJC;
- An employee gives or sells anything to a person in the custody of the IDJC or their family^(a), or buys, sells, or accepts anything from a person in the custody of the IDJC or their family, or extends to them any favors of a personal nature;
 - (a) For the purposes of this policy, "family" or "family member" of a person in IDJC custody may be defined as any member of the juvenile's family (parent, parent significant other, sibling, child, grandparent, in-law, or significant other). In all cases, employees consult

with a supervisor before taking any action that is, or may have the appearance of being, a conflict of interest.

- An employee or his/her family member^(b) have a financial interest (examples may include employment by: a consultant to, a representative or agent for, a partner of, holding any office in, or deriving any income from, any entity doing or seeking to do business with the IDJC) conflicting with the interests of the IDJC in any manner;
- (b) For the purposes of this policy, and employee's "family" or "family member" is defined as any member of the employee's family (spouse, parent, sibling, child, stepchild, grandparent, grandchild, great grandchild, in-law, or domestic partner).
- An employee participates in managerial or consultation services to any outside interest that does business with the IDJC, except with the IDJC's prior knowledge and consent;
- An employee receives compensation, gifts, favors, entertainment, or other similar benefits from any outside interest which does, or seeks to do, business with the IDJC;
- An employee discloses or uses confidential, special, or inside information about the IDJC or its clients for personal gain or advantage;
- An employee or his/her family member influences the IDJC's grant-making, business, administrative, or other material decisions in a manner that leads to personal gain or advantage;
- An employee participates in deliberations or actions resulting in the purchase of goods or services from any organization in which an employee or his/her family member has a financial interest;
- An employee is involved in a close personal relationship with a juvenile or the family of a juvenile committed to the IDJC, including involvement in foster care;
- An employee is working under the immediate supervision of a supervisor who is a spouse, child, parent, brother, sister or the same relation by marriage (DHR IDAPA Rule 15.04.01.24);

Operating Procedures

I. Employee responsibilities

- A. An employee shall adhere to the requirements set forth in the Political Activities and Employee Organizations (310) policy/procedure regarding additional employment and participation in political activities and employee organizations, as careful consideration must be given to real or perceived conflict of interest situations.
- B. An employee shall disclose to the Division Administrator situations where conflict(s) of interest or the appearance of possible conflict(s) of interest exist, as outlined in the policy statement section above.

II. Management responsibilities

- A. The Division Administrator will evaluate the potential conflict of interest and take appropriate action, which may include review of the employee's work, the creation of controls, or other actions, as necessary, to ensure that conflict of interest does not occur. This evaluation shall be documented and submitted to IDJC Human Resources (HR) for placement in the employee's personnel file

- B. The Division Administrator shall consult with the Director, Deputy Director, Deputy Attorney General, or HR, as necessary.

References: [Glossary of Terms and Acronyms](#)
 Division of Human Resources and Idaho Personnel Commission Rules, Rule 24
 Conflict of Interest and Personal Conduct, IDAPA 15.04.01.024
 [74-403, Idaho Code, Ethics in Government](#)

Desk Manual(s): *None*

Related Policies: [Ethics and Standards of Conduct](#) (324)
 [Political Activities and Employee Organizations](#) (310)
 [Additional and Dual State Employment](#) (332)

Related Forms: *None*