Section 2: Employment

Policy #7: Conflicts of Interest
Effective Date: July 1, 2011

I. Purpose

This procedure describes the Town of Mooresville's policy regarding conflicts of interest in outside employment and the acceptance of gifts and favors.

II. Scope

This policy shall apply to all persons holding a paid position as an employee of the Town, except the Town Manager, Town Attorney, a member of any appointed or volunteer board or committee, or any others that may be hired or appointed by the Town Board. For this purpose, and subject to the exceptions set out herein, Town employees shall be defined as those employees in departments and offices for which the Town Board serves as the final budget authority.

III. Background

None

IV. Definitions

Thing of Value – Anything that exceeds $50 in either monetary or fair market value.

V. Legislation

VI. Policy

It is the policy of the Town of Mooresville to prohibit employees from engaging in outside employment or accepting gifts and favors that may cause a conflict of interest.

VII. Provisions

A. Outside Employment

1. No employee shall engage in any outside employment including self employment that would:

    a. Directly or indirectly affect their ability to make unbiased decisions or recommendations in the duties of their job with the Town;
    b. Directly or indirectly affect their ability to carry out their job duties with the Town;

c. Create the appearance of favoritism for any person or entity providing goods or services to the Town;
d. Compromise their independent judgment regarding recommendations or choice of vendors or services that are provided the Town of Mooresville; or
e. Violate any federal, state, law, rule, regulation or ordinance.

2. Approval
    a. Determination of the degree of limitations on outside employment will be based upon the best interest of the Town in furthering professionalism, protecting the reputation of the employee and Town, and ensuring the Town receives full and faithful service in return for its expenditure of resources.
    b. Full-Time Employees - Prior to obtaining any outside employment, whether as an employee, independent contractor or otherwise, full-time employees must request prior approval through their Department Director.
    c. Part-Time Employees – Prior to obtaining any outside employment, part time employees must request approval by their immediate supervisor with concurrence by their Department Director.
    d. All requests for outside employment must be submitted and approved in writing.
    e. If the Department Director believes an employment request is inappropriate, he/she must review the facts of the request with the Assistant Town Manager or Town Manager prior to disapproving.

3. Expected Conduct
    a. Duty to Perform - All outside employment must be conducted so that it does not conflict with the employee's regular duties and performance. Work must not be performed during the employee's regular work hours unless the employee is using Town leave and has received prior approval. In no event shall a Town employee use sick leave for purposes of outside employment. Town resources, personnel or equipment may not be used in conjunction with outside employment.
    b. Duty to Report - If an employee has any employment relationship or received referral business from a person or entity doing business or seeking to do business with the Town and the employee has any recommendation or

decision making authority for that service or product, the employee must disclose in writing the nature and extent of the employment or business referral relationship to their immediate supervisor. This notice must be provided before the employee makes any recommendation or decision on the service or product. This information is available for public inspection. Copies of all outside employment documents will be filed in the employee's personnel file.

B. Gifts and Favors

1. No employee of the Town shall accept any gift, whether in the form of a service, loan, a thing of value, or a promise from any person, firm, or corporation that, in the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the Town.
2. No employee shall accept any gift, favor or thing of value that may tend to influence that employee in the discharge of duties.
3. No employee shall grant any improper favor, service or thing of value in the discharge of duties.
4. Gratuities shall be refused by all employees.

VIII. Authorization

Approved by:

Erskine Smith — *July 1, 2011*

Town Manager — Date