



Series: HR- Practices

COA: HR 5.02,  
ETH 2, 4, 5 TS 2.01  
CFOP:

Procedure Name: Employee Conflict of Interest

Procedure Number: HR-2502

Revision #/Date: (2) 09/08

Effective Date: 9/2004

Applicable to: All CBCB Staff

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SUBJECT: Employee Conflict of Interest

PURPOSE: This procedure is designed to protect the interests of each CBC of Brevard employee in his or her business and personal relationships as they pertain to their jobs on a daily basis. It is the intent of this procedure that all business conducted on behalf of the Agency is done in a manner which is impartial and always maintains the best interest of the Agency and its clients. It is in the best interest of each employee to disclose any potential or perceived conflict of interest so that the best interest of each employee is also considered in conjunction with the interest of the Agency and its clients.

PROCEDURE:

1. Staff shall be required to disclose any and all relationships that he or she or members of their family may have with services being managed or provided through Community Based Care of Brevard. Staff will also be required to disclose any relationships that he or she or members of their family may have with any businesses with which CBC of Brevard may do business with. **Such relationships shall include but are not limited to:**
  - a. Relationships of individuals who may be receiving services that are managed by the Agency or provided directly by the Agency.
  - b. Any existing or requested outside employment of an employee of CBC of Brevard
  - c. Any employment of immediate family members that may do business with CBC of Brevard and/or are seeking to do business with CBC of Brevard
  - d. Appointment to an official position with any business or agency (for profit or non for profit)
  - e. Any management responsibility for such business
  - f. Assignment as a volunteer in any membership campaign or fund drives
2. All staff will be required to fill out a Conflict of Interest form upon hire and annually thereafter. Supervisors will forward perceived or potential conflicts to their Division leaders who will present these at the weekly Strategy Meetings for review, discussion and assessment.
3. If the Strategy Team determines that a conflict exists the Division leader and the Chief Personnel & Administrative Officer will meet with the employee to discuss the concerns.

4. However, it is the responsibility of each employee to request and fill out a new Conflict of Interest form at any time that there is a new potential or perceived Conflict of Interest as it may relate to the employment relationship with CBC of Brevard.
5. If an employee wishes to pursue outside employment in addition to maintaining current employment with the Agency, the employee must submit a request to the Chief Personnel & Administrative Officer providing details of the outside employment including the name of the organization, the work to be performed, the time when this would be performed and other related information as appropriate.
6. The Chief Personnel & Administrative Officer will present this at the next scheduled Strategy meeting for discussion and a decision. If the request is approved, a memo will be crafted to the employee by the Chief Personnel & Administrative Officer. The memo will provide the approval for the employee to pursue the outside employment and the terms and conditions associated with this approval and a statement of the consequences should the employee fail to conform to the stated restrictions or limitations.
7. The employee will be required to sign and date this memo and return it to the Chief Personnel & Administrative Officer with a new signed Conflict of Interest form. This will be maintained in the employee's personnel file.
8. Should a real conflict of interest be identified through this review, recommendations to resolve this conflict of interest will be discussed with the employee directly by the supervisor, Division leader and/or Chief Personnel & Administrative Officer.
9. Where perceived or actual conflicts of interest are identified, the Agency will consider options to mitigate the conflict.

**Recommendations may include but are not limited to:**

- a. Recommendation to modify access of a client record for an employee due to the relationship identified in their conflict of interest form.
  - b. Recommend that the employee be required to eliminate such a conflict up to and including dissolving a business or employment relationship volunteer relationship, or appointment to an official position
  - c. Recommend a change in position which would eliminate the conflict of interest, if an individual qualifies for a position and if one is available.
  - d. The employee may be provided with the opportunity to choose between the conflicting situations in order to eliminate one of them.
10. Any employee who knowingly participates in activities that constitute a conflict of interest, without proper disclosure of the existence of such a conflict, will be subject to disciplinary action up to and including termination.

**The following is a list of actions which are considered improper, regardless of the circumstances.**

- a. Making or accepting payment or other consideration in exchange for referrals.
- b. Steering, directing referrals to, or giving preference to clients more easily or less costly to serve for the organization and practitioners within the organization.

- c. Unfairly steering or directing referrals to specific service provider organizations, such as network owners, or individual practitioners within the network.
- d. Steering or directing referrals to private practices in which personnel, consultants, or the immediate families of personnel and consultants are engaged.
- e. It is the policy of the Florida Department of Children and Families and CBC of Brevard that information, obtained through FSFN or other CBC of Brevard client records, is not to be obtained for an employee's own or another person's personal use. This is a violation of the Agency's and DCF policies on Security and Florida Statutes and a breach of these policies will result in immediate disciplinary action including termination of employment.
- f. Seeking directly or indirectly any payments, fees, services, loans or cash gifts from person or business entity that does or seeks to do business with the Agency.
- g. Accept for personal use, for the use of others, any gift, favor, loan, gratuity, reward, promise of future employment, or any other thing of monetary value that might influence, or appear to influence, the judgment or conduct of the employee in the performance of their job.
- h. Give, offer, or promise directly or indirectly anything of value to any representative of a customer, a potential customer, a vendor or potential vendor, financial institution or potential financial institution with whom CBC of Brevard has or may have a business relationship.
- i. Conducting business on behalf of CBC of Brevard with a relative or a business entity with which the employee or a relative is associated, except where such dealings have been disclosed and specific approval has been given.

**The preceding list is not intended to apply to:**

1. Occasional unsolicited courtesy gifts or favors (such as business lunches, tickets to sporting events or cultural events, holiday baskets, flower, etc.) so long as the gifts or favors have a market value under \$25.00 which are customary in the industry and do not influence or appear to influence the judgment or conduct of the employee. Any exception to this amount needs to be discussed with the staff's supervisor.
2. Gifts, bequests, or accommodations based upon relationships (personal or family) when it is clear that these relationships, rather than the business of the person concerned are the motivating factors for such gifts, bequests, or accommodations
3. Dining and entertainment at reasonable levels when such social courtesies are business oriented and can be reciprocated.
4. Advertising or promotional materials such as pens, note pads, desk accessories, or other items where the value does not exceed \$25.00 unless the receipt of these gifts is to advocate for the organization providing the promotional materials.
5. Awards given by charitable, civic, religious or similar organizations for meritorious contributions or achievements.
6. Loans from financial institutions at normal and customary interest rates.

BY DIRECTION OF THE CHIEF EXECUTIVE  
OFFICER:



A handwritten signature in cursive script, appearing to read "Patricia", is written over a horizontal line.

DR. PATRICIA NELLIUS-GUTHRIE  
Chief Executive Officer  
CBC of Brevard, Inc.

APPROVAL DATE: 3/6/09