Policy 2514

From Human Resources

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PERSONNEL POLICY MANUAL
MoDOT Personnel Policy Title: Conflict of Interest **Policy Number**: 2514 **Chapter Title**: Employee Conduct **Effective Date**: May 1, 2013 **Supersedes Policy Number**: 2514 **Dated**: June 1, 2010 **Policy Updated By**: Steve Meystrik, Special Projects Coordinator
Approved By: Micki Knudsen, Human Resources Director (Signature on file)

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POLICY STATEMENT

Employees are expected to engage in activities that are compatible with the impartial and objective performance of their duties. Districts/divisions/offices are responsible for making their employees aware of this personnel policy at the time of employment. Violation of this personnel policy may lead to discipline up to and including termination.

DEFINITION

Gift: For purposes of this policy only, includes, but is not limited to items such as money, gratuities, materials, loans, green fees, alcoholic beverages, tickets, or clothing. Gifts shall not include promotional items such as pens, pencils, note pads, caps, calendars, coffee cups, or food items such as popcorn or fruit.

PROVISIONS/REQUIREMENTS

1. General

    A. Employees shall not use their decision-making authority for the purpose of obtaining a financial gain for themselves, a family member, or any other person.

    B. Employees shall avoid any interest, activity, or outside employment which improperly influences or gives the appearance of improperly influencing the performance of their official duties.

    C. Employees shall not have any monetary interest in, or act as agent for, the sale of road or bridge building material, equipment, tools, machinery or supplies, or in any contract for the construction or maintenance of state highways or bridges.

    D. Employees shall not be the sales agent in the sale to or purchase by the state, county, or road districts of road tools, culvert, or bridge materials or machinery, or have a monetary interest in any contract for the building of any bridge, culvert, or for the improvement of any public road to which the county or any road district is a party.

2. Employment Outside of the Missouri Department of Transportation (MoDOT)

    A. Employees working in the professional fields of engineering, law, or land surveying are prohibited from working outside the department in their professional fields. (See Right of Way manual for outside employment restrictions applicable to all Right of Way employees.)

B. Employees who choose to perform work outside MoDOT (self-employed, working for another employer, or volunteer work) will be held to the same performance standards (must be rated "Successful" or higher) for their work with MoDOT as employees who do not work outside MoDOT.

3. Disclosure of Confidential Information

Employees shall not use or disclose confidential information obtained in the course of or by reason of their employment or official capacity in any manner for any reason, with or without financial gain, for themselves, a family member, or any other person or any business with which they are associated.

4. Political Activity

A. Employees of MoDOT:

1) **May** be a candidate for public office in a nonpartisan election;

2) **May** campaign for and hold elective office in political clubs and organizations;

3) **May** actively campaign for candidates for public office in partisan and nonpartisan elections;

4) **May** contribute money to political organizations or attend political fundraising functions;

5) **May** participate in any activity not specifically prohibited by law or regulation; and

6) **May** receive reimbursement of individual expenses (i.e., mileage, motel, etc.) to attend meetings for the city/county/political subdivision.

(The above activities may not occur during working hours or with/on state property.)

B. Employees of the Missouri Department of Transportation:

1) **May not** be a candidate for public office in a partisan election;

2) **May not** be a candidate for or accept any elective or appointive office of any political subdivision for which any monetary consideration (i.e., annual or monthly payments) is prescribed;

3) **May not** use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office;

4) **May not** directly or indirectly solicit contributions from subordinates in support of a political party or candidate; and,

5) **May not** select or remove employees based on political affiliation.

5. Purchase of Department Property (real or personal)

Employees of the Missouri Department of Transportation:

A. **May** purchase tools or equipment such as automobiles, tractors, trucks, and other items declared as surplus equipment either directly or indirectly when such sales are made at public sale (i.e., auction, sealed bid, or dealer); and

B. **May not** purchase real property if within an established corridor without approval from the director, department of transportation.

6. Solicitation or Acceptance of Gifts

A. Employees are prohibited from accepting gifts, or soliciting any item (regardless of whether it meets the definition of a gift), for their personal use or benefit from an outside person or organization for work performed as a department employee, or in connection with their official duties as a department employee.

B. Unless prohibited by law, exceptions are allowed at the discretion of the director, chief engineer, business unit leaders, district engineers, and division leaders/state engineers as follows: a gift will not be construed to mean hospitality related to events where food or beverages are served, or admissions to social, art, or sporting events or the like, when participation by these leaders or their designated representative(s) at such events is for the purpose of building relationships with customers and partners and to further the business of the department. Employees below the level of the senior management team (SMT) who are invited to attend hospitality-related events must receive approval from their respective SMT managers to attend these events.

7. Removal or Use of State Property

A. Employees shall not remove property found on the right-of-way for personal ownership or use or to give/sell the property to another person or entity. (See General Services policies for surplus disposal.)

B. Employees shall not use state owned vehicles without authorization.

C. Employees shall not remove state property for personal ownership or use, or give/sell the property regardless of the condition or the department's continued need for these items: such property could include tools, equipment, supplies, materials, scrap, broken items, discarded items, and surplus items.

D. Employees shall not park privately owned vehicles or equipment inside department buildings.

E. Employees shall not perform work on privately owned vehicles or equipment during work hours and/or while on department property. This includes employees not using department hoists and other equipment/tools to perform routine service like changing oil or

rotating tires, as well as not performing more complex work like auto body or engine repairs.

8. Use of Meeting/Conference Rooms

Employees shall not use meeting/conference rooms before work or after work without authorization.

CROSS REFERENCES

Right of Way Manual (http://epg.modot.org/index.php?title=236.6_Appraisal_and_Appraisal_Review#236.6.1.3_Moonlighting)

General Services Policies/Procedures (http://sharepoint/Policy/Shared%20Documents/Forms/AllItems.aspx?View=%7BEBC3408F%2DC447%2D4058%2DB5C4%2D52F7037DEF77%7D&RootFolder=%2FPolicy%2FShared%20Documents%2FGeneral%20Services&ShowInGrid=HTML&InitialTabId=Ribbon%2EDocument&VisibilityContext=WSSTabP)

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