

Tidewater Youth Services Commission

Operating Instruction 1.4

Subject: Conflict of Interest

Issued by: Shawn Sawyer, Executive Director

Effective Date: June 12, 2007

Revised: October 29, 2018

Issued to: ALL TYSC Employees

Expiration Date: When superseded

No employee shall engage in any other employment, business or profession during the hours for which he/she is employed to work for the Tidewater Youth Services Commission (the Commission), nor outside such hours in a manner or to an extent that affects their ability to perform their duties with the Commission, impairs the efficiency of the Commission, creates the impression of a conflict of interest, or reflects adversely upon the Commission.

In order to avoid conflicts of interest, especially as pertains to employment outside of TYSC, the following guidelines will apply:

- No property belonging to or under contract to the Commission or to the Commonwealth of Virginia may be used for outside employment activities.
- Commission employees who work for more than one TYSC program shall be mindful of restrictions on their hours of work to avoid inadvertent violations of the Fair Labor Standards Act. Before being allowed to work in another program, employees must first obtain permission from the Program Director who initially hired them. It is the employee's responsibility to ensure that they comply with the conditions outlined in the Commission's "Hours of Work" memorandum. Failure to abide by these guidelines, especially where it results in unapproved overtime, will result in

disciplinary action.

- Any employee who desires to become engaged in outside employment, business, or profession shall complete and submit a Request to Engage in Outside Employment through appropriate channels to secure the written permission of the Program Director prior to actual participation. Original forms are to be maintained in the employee's personnel file. If the employee wishes to work more than one outside job, written permission must be secured for each outside employment.
- Requests for permission to engage in any such activity shall be forwarded through the supervisor to the Program Director or Unit Head and shall contain the following information:
 - The exact nature of the employment, business or profession.
 - The time to be spent on the activity by day, week and month.
 - A statement that the engagement in the requested activity will not prevent the employee concerned from being available for duty at any time.
- It is also recognized that the Commission is the site of outside employment for those whose primary employment is the Department of Juvenile Justice (DJJ), the Department of Social Services (DSS) and other public or private entities who are in a position to make referrals to the Commission. In these cases, we must exercise due diligence in assigning cases so as to avoid dual relationships. The opinion received from the Attorney General's office indicates that an employee may work a second job with a provider that contracts with DJJ provided the employee will not be working with juveniles that he or she has seen or will see in the normal performance of the primary job duties. This rationale can be applied regardless of whether the employer is a treatment provider under contract to DJJ, a detention facility, or a shelter care home. Applicants whose primary employer is a competitor with TYSC (i.e., another In Home Services program, another group home, etc.) must be evaluated carefully as to the appropriateness of hiring them. There may be conflicts of schedules, responsibilities for responding to crisis, on-call expectations, etc. that may make it very

difficult to deliver quality, responsive services to both agencies.

- No employee should accept a case where any personal, professional, business or family relationship exists. Once the employee discovers that they know the assigned client in another capacity, it should be immediately reported to the employee's supervisor. In those instances, the case will be reassigned to another employee.