

# **MADISON COUNTY, VIRGINIA PERSONNEL POLICIES MANUAL**

## **CONFLICTS OF INTEREST**

<b>POLICY NO.</b>	2.6	<b>EFFECTIVE:</b>	01/02/2024
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Virginia state law prohibits certain conduct regarding conflicts of interest. This law, popularly known as the 'State and Local Government Conflict of Interests Act', is intended to sustain public trust in the conduct of public business by those entrusted to carry out that business. It is the policy of Madison County that County employees understand and follow that law and these guidelines. Madison County employees have an obligation to be fully compliant with the Virginia State and Local Government Conflict of Interests Act and to conduct business within guidelines that prohibit actual or potential conflicts of interest.

The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.

- A. State conflict of interest law applies to all employees of a local government (see: **Virginia Code § 2.2-3101. Definitions.**) **To the extent required by state law, the** County Administrator shall ensure that a copy of the State Chapter on Conflicts of Interest is provided to any new employee required by law to file a disclosure statement of personal interest.
- B. Employees are hereby placed on constructive notice of the existence of certain other state laws prohibiting certain conduct or the acceptance of certain gifts. These laws apply to all employees and are not limited to only those who are required to file disclosure statements or to whom the state chapter on conflicts law is to be provided. Under the laws of the Commonwealth of Virginia, violations of these laws may be considered criminal offenses.
- C. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the County's business dealings. For the purposes of this policy, a relative is any person who is related by blood, marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.
- D. No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts or leases, it is imperative that he or she disclose such relationship to the County Administrator as soon as possible the existence

of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

- E. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the County does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.