

## **Existing State of Vermont Policies/Language Addressing Conflict of Interest**

### **1. Vermont Ethics Commission Draft Code of Ethics, Conflict of Interest**

"Conflict of interest" for a public servant means an interest, direct or indirect, financial or otherwise, of the public servant or such an interest, known to the public servant, of a member of the public servant's immediate family or household, or of a business associate, in the outcome of a particular matter pending before the public servant or the public servant's public body, or which is in conflict with the proper discharge of the public servant's duties. "Conflict of Interest" does not include any interest that is no greater than that of other persons generally affected by the outcome of a matter (such as a policyholder in an insurance company or a depositor in a bank).

### **2. VTHR PERSONNEL POLICY AND PROCEDURE MANUAL, Conflict of Interest Provisions/Arguably Relate to Conflicts of Interest**

#### **Number 5.2- CONFLICT OF INTEREST ARISING FROM EMPLOYMENT**

**Applies to:** All applicants for employment with; and all classified, exempt, appointed, temporary, and contractual employees in the Executive Branch of the State of Vermont. Includes members of boards, commissions, councils, and similar bodies.

"It is the State of Vermont's Responsibility to conduct employment matters in a manner that not only avoids conflicts of interest, but any appearance of a conflict of interest. Conflicts of interest may arise in: hiring employees; other employment related matters; their employment by the State in more than one capacity; outside activities or employment engaged in by employees; and the award of contracts to employees. This policy is intended to promote avoidance of conflicts of interest and the appearance thereof that arise through the employment, in the same governmental unit of people who share familial or other close relationships....."

#### **Number 5.6 - EMPLOYEE CONDUCT**

##### **REQUIRED CONDUCT**

1. It shall be the duty of employees to fulfill to the best of their ability the duties and responsibilities of their position. Employees shall pursue the common good in their official activities, and shall uphold the public interest, as opposed to personal or group interests.

##### **PROHIBITED CONDUCT**

4. Employees shall not engage in any employment, activity, or enterprise which has been or may be determined by the appointing authority to be inconsistent, incompatible, or in conflict with their duties as a State employee or with the duties, functions or responsibilities of the agency by which they are employed. The mere appearance of impropriety may constitute a conflict of interest. Employees shall consult with their appointing authority prior to engaging in such employment, activity, or enterprise. Employees whose employment, activity or enterprise pre-dates this policy or their employment with the State shall promptly consult with their appointing authority to resolve any issue of conflict of interest.

### 3. VERMONT JUDICIAL BRANCH PERSONNEL POLICY, CODE OF CONDUCT

**Applies to:** Applies to all non-judicial employees of the judiciary, whether compensated by the State or County, its officers, departments and subdivisions and includes all temporary, permanent and contractual employees, court officers and volunteers unless specifically excluded within a provision. Court employees who are law students, law clerks, interns, attorneys, or members of other professional groups are also bound by the appropriate professional duties of these roles.

“Every Judicial Branch employee shall avoid conflicts of interest in the performance of professional duties. Even though no misuse of office is involved or intended, conflicts of interest involving Judicial Branch employees can seriously undermine the community’s confidence and trust in the Judiciary, therefore, every Judicial Branch employee is required to exercise diligence in becoming aware of conflicts of interests and disclosing those conflicts to the employee’s immediate supervisor. Employees who violate this section of the code of conduct may be subject to immediate dismissal.”

### 4. STATE OF VERMONT, EXECUTIVE DEPARTMENT, EXECUTIVE ORDER NO. 19-17 [Executive Code of Ethics]

**Applies to:** All Appointees, except where otherwise provided by law. "Appointee" means any member of a Public Body appointed by or upon the approval of the Governor, including Executive Officers, or any exempt employee appointed by or upon the approval of such an Appointee. "Public Body" means any State agency, department, division or office and any board or commission of any such entity or any independent board or commission in the executive branch of the State.

“Appearance of a Conflict of Interest" means the impression that a reasonable person might have, after full disclosure of the facts, that an Appointee's judgment might be significantly influenced by outside interests, even though there may be no actual Conflict of Interest.

"Conflict of Interest" means a significant interest of an Appointee or such an interest, known to the Appointee, of a member of his or her immediate family or household, or of a business associate, in the outcome of a particular matter pending before the Appointee or his or her Public Body. "Conflict of Interest" does not include any interest that (i) is no greater than that of other persons generally affected by the outcome of a matter (such as a policyholder in an insurance company or a depositor in a bank), or (ii) has been disclosed to the Secretary and found not to be significant.”

“An Appointee shall not take any action in any matter in which he or she has either a Conflict of Interest or the appearance of a Conflict of Interest, until the Conflict is resolved.”

Below is a list of 180 Boards and Commissions where at least one member is subject to the above definition of “Conflict of Interest”.

- [Access Board](#)
- [Accountancy, Board of Public](#)
- [Allied Mental Health Practitioners, Board of](#)
- [Alzheimer's Disease & Related Disorders, Committee on](#)

- [Animal Cruelty Investigation Advisory Board](#)
- [Apportionment Board](#)
- [Apprenticeship Council](#)
- [Architects, Vermont Board of](#)
- [Arts Council, Vermont](#)
- [Aviation Advisory Council, Vermont](#)
- [Blind & Visually Impaired, State Rehabilitation Council for the](#)
- [Building Bright Futures Council](#)
- [Capital Debt Affordability Advisory Committee](#)
- [Capitol Complex Commission](#)
- [Chemicals of High Concern For Children Working Group](#)
- [Children and Family Council for Prevention Programs](#)
- [Chiropractic, Board of](#)
- [Clean Water Board](#)
- [Clinical Utilization and Review Board](#)
- [Commission on Women, Vermont](#)
- [Community Development Board, Vermont](#)
- [Community High School of Vermont Board](#)
- [Connecticut River Valley Flood Control Commission](#)
- [Criminal Justice Training Council](#)
- [CJTC Advisory Committee](#)
- [Current Use Advisory Board](#)
- [Deaf, Hard of Hearing, and Deaf/Blind Advisory Council](#)
- [Dental Examiners, State Board of](#)
- [Department of Disabilities, Aging and Independent Living Advisory Board](#)
- [Developmental Disabilities Council, Vermont](#)
- [District #1 Environmental Commission](#)
- [District #2 Environmental Commission](#)
- [District #3 Environmental Commission](#)
- [District #4 Environmental Commission](#)
- [District #5 Environmental Commission](#)
- [District #6 Environmental Commission](#)
- [District #7 Environmental Commission](#)
- [District #8 Environmental Commission](#)
- [District #9 Environmental Commission](#)
- [Domestic Violence Fatality Review Commission](#)
- [Domestic Violence, Vermont Council on](#)
- [Downtown Development Board, Vermont](#)
- [Economic Development Authority, Vermont](#)
- [Economic Progress Council, Vermont](#)
- [Education, State Board of](#)
- [Educational & Health Buildings Financing Agency, Vermont](#)
- [Electricians Licensing Board](#)
- [Elevator Safety Review Board](#)
  
- [Emergency Communications Advisory Commission](#)

- [Emergency Preparedness Advisory Council, Governor's](#)
- [Emergency Response Commission, State](#)
- [Employment Security Board](#)
- [Employment of People with Disabilities, Governor's Committee on](#)
- [Endangered Species Committee](#)
- [Engineering, Board of Professional](#)
- [Enhanced 911 Board, Vermont](#)
- [Fire Service Training Council, Vermont](#)
- [Fish and Wildlife Board](#)
- [Green Mountain Care Board](#)
- [Green Mountain Care Board Nominating Committee](#)
- [Green Mountain Secure Retirement Plan Board](#)
- [Health, Board of](#)
- [Hearing Panels for Professional Public Educators](#)
- [Historic Preservation, Advisory Council on](#)
- [Homelessness, Vermont Council on](#)
- [Housing Finance Agency, Vermont](#)
- [Housing and Conservation Board, Vermont](#)
- [Human Rights Commission](#)
- [Human Services Board](#)
- [Human Services Grant Advisory Committee](#)
- [Independent Living Council, Statewide](#)
- [Interagency Committee on Administrative Rules](#)
- [Interstate Adult Offender Supervision, Vermont Council for](#)
- [Joint Committee on Tax Credits](#)
- [Judicial Nominating Board](#)
- [Labor Relations Board, State](#)
- [Lake Champlain's Future, Vermont Citizens Advisory Committee on](#)
- [Land Surveyors, Board of](#)
- [Libraries, Board of](#)
- [Liquor and Lottery, Board of](#)
- [Livestock Care Standards Advisory Council](#)
- [Marijuana Advisory Commission, Governor's](#)
- [Medical Practice, Board of](#)
- [Mental Health Crisis Response Commission](#)
- [Milk Commission, Vermont](#)
- [Municipal Bond Bank, Vermont](#)
- [Municipal Employees' Retirement System, Vermont](#)
- [National Ocean Council Regional Planning Body](#)
- [Native American Affairs, Vermont Commission on](#)
- [Natural Resources Board](#)
- [New England Board of Higher Education](#)
- [New England Interstate Water Pollution Control Commission](#)
- [New Motor Vehicle Arbitration Board](#)
- [Northeast Forest Fire Protection Commission](#)
- [Nuclear Decommissioning Citizens Advisory Panel](#)

- [Nursing, Board of](#)
- [Occupational Safety and Health Review Board](#)
- [Optometry, State Board of](#)
- [Osteopathic Physicians & Surgeons, Board of](#)
- [Parole Board](#)
- [Passenger Tramway Board](#)
- [Pension Investment Committee, Vermont](#)
- [Pesticide Advisory Council](#)
- [Pharmacy, Board of](#)
- [Physical Fitness and Sports, Governor's Council on](#)
- [Plumbers Examining Board](#)
- [Private Investigative & Security Services, Board of](#)
- [Psychological Examiners, Board of](#)
- [Public Utility Commission](#)
- [Public Transit Advisory Council](#)
- [Racial Equity Advisory Panel](#)
- [Racial Equity Task Force](#)
- [Rail Advisory Council, Vermont](#)
- [Real Estate Commission, Vermont](#)
- [Recreational Facilities Grant Program Committee](#)
- [Restorative Justice Study Committee](#)
- [Search and Rescue Council](#)
- [Sentencing Commission](#)
- [SerVermont](#)
- [Single-Use Products Working Group](#)
- [Snowmobile Advisory Council, Governor's](#)
- [Special Education, Advisory Council on](#)
- [Standards Board for Professional Educators, Vermont](#)
- [State Infrastructure Bank Board](#)
- [State Police Advisory Commission](#)
- [State Program Standing Committee for Adult Mental Health](#)
- [State Program Standing Committee for Child, Adolescent, and Family Mental Health](#)
- [State Program Standing Committee for Developmental Services](#)
- [State Rehabilitation Council](#)
- [State Workforce Development Board](#)
- [Sunset Advisory Commission](#)
- [Sustainable Jobs Fund Board of Directors](#)
- [Substance Misuse Prevention Oversight and Advisory Council](#)
- [Symptom Relief Oversight Committee](#)
- [Technical Advisory Committee](#)
- [Telecommunications Authority, Vermont](#)
- [Telecommunications and Connectivity Advisory Board](#)
- [Texas Low-Level Radioactive Waste Disposal Compact Commission](#)
- [Tobacco Evaluation & Review Board, Vermont](#)
- [Transportation Board](#)
- [Travel Information Council](#)

- [Travel and Recreation Council](#)
- [Uniform Laws Commission](#)
- [University of Vermont Board of Trustees](#)
- [Unorganized Town - Glastenbury](#)
- [Unorganized Town - Somerset](#)
- [Unorganized Town- Buel's Gore](#)
- [Vermont Council on World Affairs](#)
- [Vermont Humanities Council](#)
- [Vermont State Colleges Board of Trustees](#)
- [Vermont State Housing Authority](#)
- [Vermont State Retirement Board](#)
- [Vermont Student Assistance Corporation Board of Directors](#)
- [Vermont Tax Structure Commission](#)
- [Veterans Advisory Council, Governor's](#)
- [Veterans' Home Board of Trustees, Vermont](#)
- [Veterans' Memorial Cemetery Advisory Board, Vermont](#)
- [Veterinary Board, State](#)
- [Victims Compensation Board](#)
- [Web Portal Board, Vermont](#)
- [Workforce Equity and Diversity Council, Governor's](#)
- [Working Lands Enterprise Board](#)