

State of Utah	REF. NR-97-B-8	PAGE 1 of 4
DEPARTMENT OF NATURAL RESOURCES	EFFECTIVE DATE	06/28/1997
POLICIES AND PROCEDURES	REVISION DATE	01/01/2008
SUBJECT: Conflict of Interest Policy		
Michael R. Styler, Executive Director		

I. PURPOSE

This policy is part of the Department of Natural Resources' overall effort to maintain the trust of the state's taxpayers and the department's customers and to be in compliance with the Utah State Code. The purpose of the policy is to help maintain the desired trust levels by preventing the department's employees from working in any capacity (employee, contractor or volunteer) for any individual or organization (public or private), that may prevent the employee from efficiently performing his/her department assigned duties or create, have a potential to create, or even be perceived by the taxpayers and/or the department's customers as having a potential for creating a conflict of interest.

This policy is not intended to take the place of any state laws or rules governing the type of work in which the state's employees can engage. In any case where there is a conflict, the state law or rule will take precedence. The statutory authority for this policy is found in the "Public Officers and Employee Ethics Act" found in Chapter 16, Section 67-16-1 through 14 of the Utah State Code Annotated as implemented by State Rule R477-9-2 "Employee Conduct."

II. POLICY

It is the responsibility of all department employees to ensure that they are not or will not become involved in conflict of interest situations or activities.

- A. No employee of the department shall perform any work as an employee, a contractor, or a volunteer for any individual or organization (public or private) where there is a conflict, the potential for a conflict, or the appearance of a conflict between the interests of the state and those of the organization.
- B. The department reserves the right to require an employee who's outside work is deemed to be in conflict with the needs and interests of the state to terminate their working relationship with the individual or organization. Non-compliance with such a request may result in disciplinary action up to and including termination.
- C. Career service employees who have had their request for authorization to work for an individual or organization denied may grieve the decision in accordance with the rules and procedures established by the Career Service Review Board.
- D. All department employees must have a completed Conflict of Interest Form that accurately reflects the current status of their outside work activities in their official personnel file. (Form attached.)
- E. Employees who fail to fully comply with this policy may be disciplined, up to and including termination, in accordance with DHRM Rule R477-11.

State of Utah	REF. NR-97-B-8	PAGE 2 of 4
DEPARTMENT OF NATURAL RESOURCES	EFFECTIVE DATE	06/28/1997
POLICIES AND PROCEDURES	REVISION DATE	01/01/2008
SUBJECT: Conflict of Interest Policy		
Michael R. Styler, Executive Director		

II DEFINITIONS

- A. **Employee:** An individual who performs work for the department including full-time employees, part-time employees, career service employees, time-limited employees, seasonal employees, and volunteers.
- B. **Department:** The Department of Natural Resources.
- C. **Outside work:** Work (paid or unpaid) that is performed for any individual or organization other than the department.
- D. **Conflict of interest:** There are several criteria that determine if outside work is a conflict of interest, has the potential for creating a conflict of interest, or results in the appearance of a conflict of interest. Any one of these criteria by itself may constitute a conflict of interest or the potential for a conflict of interest. These are examples and are not intended to include every possible scenario.
1. Being engaged in work for an individual or organization other than the department during the same hours the employee is scheduled to be working for the department.
 2. Performing work for an individual or organization other than the department that would impair or appear to have the potential to impair the employee's independence of judgment in the performance of his/her department duties.
 3. Performing outside work that would render the employee incapable of performing at full capacity in his/her department position because of fatigue, anxiety or other impairments.
 4. Performing work for an individual or organization whose purpose or activities are deemed to be or have the appearance of being incompatible or in conflict with the interests of the state.
 5. Outside work that may induce an employee to improperly disclose controlled information that he/she has gained by reason of department employment.
 6. Outside work that might interfere with the ethical performance of the employee's public duties.
 7. Receiving compensation for assisting an outside organization or individual in a transaction involving the department without first filing a disclosure statement in accordance with the requirements found in Section 67-16-6 of the Utah State Code Annotated.

State of Utah DEPARTMENT OF NATURAL RESOURCES POLICIES AND PROCEDURES	REF. NR-97-B-8	PAGE 3 of 4
	EFFECTIVE DATE	06/28/1997
	REVISION DATE	01/01/2008
SUBJECT: Conflict of Interest Policy		
Michael R. Styler, Executive Director		

IV. PROCEDURES

- A. New employees must complete a Conflict of Interest Form as part of the New Employee Orientation, or when they complete the Employee Declaration Form.
- B. Current employees must complete and submit a new Conflict of Interest Form whenever their outside work status changes and review their status with their supervisors during the annual Performance Management Evaluation.
- C. Current employees who contemplate beginning outside work are encouraged to complete a Conflict of Interest Form and forward to their supervisor as far in advance of their planned start date as possible so that the required reviews can be completed before they actually start work.
- D. If the nature of the employee's outside work is significantly changed, a new Conflict of Interest Form must be completed and submitted to their supervisor.
- E. In the case of a consultant, a new Conflict of Interest Form must be completed and submitted to their supervisor before he/she starts performing work for the new client.
- F. If the employee indicates on the form that he/she has no outside work commitments, the supervisor will forward the form to the department's Human Resource Office where it will be filed in the employee's personnel file.
- G. If the employee indicates on the form that he/she has outside work, the supervisor will review the employee's statement and indicate on the form whether or not he/she approves, denies, or grants conditional approval for the outside activities. If the outside activities are denied, specific reasons for the denial must be stated on the form. If conditional approval is granted, the supervisor must make recommendations on the form that, if implemented, would eliminate conflict concerns. The supervisor must then forward the form to the Division Director within five (5) working days of receipt.
- H. The Division Director or his/her designee will review both the employee's statement and the supervisor's recommendations before indicating on the form whether or not he/she approves, denies or grants conditional approval of the outside activities. If the outside activities are denied, specific reasons for the denial must be stated on the form. If conditional approval is granted, the Division Director must make recommendations on the form that, if implemented, would eliminate conflict concerns. The Division Director must then forward the document to the Human Resource Director within five (5) working days of receipt.

State of Utah DEPARTMENT OF NATURAL RESOURCES POLICIES AND PROCEDURES	REF. NR-97-B-8	PAGE 4 of 4
	EFFECTIVE DATE	06/28/1997
	REVISION DATE	01/01/2008
SUBJECT: Conflict of Interest Policy		
Michael R. Styler, Executive Director		

- I. The Human Resource Director will advise the Executive Director or his/her designee, who will then review all of the information on the form and make a determination. The Executive Director, or his designee, will return the document to the HR Director.

- J. The Human Resource Director or designee will forward a copy of the completed Conflict of Interest Form to the employee's home address, with a copy to the employee's supervisor within five (5) working days of the decision and file the original form in the employee's personnel file.



State of Utah Department of Natural Resources
Conflict of Interest Declaration

Employee name: (Please Print)	EIN:
-------------------------------	------

To the employee: Information disclosed on this form is confidential and for administrative use only. It is the employee's responsibility to keep an accurate form on file. If the circumstances described below change, a new form indicating the change must be filed within five working days.

Section I – Employee Information

Position Title:	Division:
-----------------	-----------

Supervisor's Name: _____

Section II – Outside Activity Status

Check one box only.

- I have read the Utah State Department of Natural Resources Conflict of Interest Policy. I am not currently involved in outside employment or volunteer activities where there could be a conflict or potential conflict of interest. Please sign and date declaration below and return to your supervisor.
- I have read the Utah State Department of Natural Resources Conflict of Interest Policy. I am currently involved in outside employment or volunteer activities where there could be a conflict or potential conflict of interest. Please complete section below and return to your supervisor.

Name of Outside Organization:	Work Schedule (days and/or number of hours worked):
<input type="checkbox"/> Employed <input type="checkbox"/> Volunteer	Position Title:

Describe all paid employment or volunteer activities outside of your primary employment with the Department of Natural Resources where there could be a conflict or a potential conflict of interest.

Based on DNR Policy, do you believe that your paid employment or volunteer activities outside the Department of Natural Resources is or could be a conflict? Yes No Describe the steps you will take to prevent or avoid conflicts, if approval is granted.

Employee's Signature Ψ	Date Signed
---------------------------	-------------

Section III – Immediate Supervisor Action

Check one box only.

- Approved - I have read the employee's statement and believe there is no conflict of interest.
- Denied - I have read the employee's statement and believe there is or may be a conflict of interest (state specific reasons in comments section below).
- Conditional Approval - I would not oppose the employee's involvement if the following limitations and/or procedures were complied with (describe in comments section below).

Comments

Please sign and date below and forward to the Division Director.

Supervisor's signature

Date Signed

Ψ

Section IV – Division Director or Designee Action

Check one box only.

- Approved - I have read the employee's statement and believe there is no conflict of interest.
- Denied - I have read the employee's statement and believe there is or may be a conflict of interest (state specific reasons in comments section below).
- Conditional Approval - I would not oppose the employee's involvement if the following limitations and/or procedures were complied with (describe in comments section below).

Comments

Please sign and date below and forward to the Human Resource Office.

Division Director's signature

Date Signed

Ψ

Section V – Executive Director or Designee Action

Check one box only.

- Approved - I have read the employee's statement and believe there is no conflict of interest.
- Denied - I have read the employee's statement and believe there is or may be a conflict of interest (state specific reasons in comments section below).
- Conditional Approval - I would not oppose the employee's involvement if the following limitations and/or procedures were complied with (describe in comments section below).

Comments

Executive Director's signature