

DCF Policy # 85-013
Effective: 04/01/1985
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Revised: 02/10/1998
Revised: 07/08/2008

CONFLICT OF INTEREST

This policy specifies the procedures to follow when a Department employee or Area Board Member suspects that a certain set of circumstances creates a conflict of interest or the appearance of impropriety. It was first issued as a memo to Department Employees and Area Board Members on April 1, 1985, and has been revised and reissued for inclusion in the Case Practice Manual.

POLICY

Department employees and Department Area Board Members are governed by a comprehensive Conflict of Interest Law (Massachusetts General Laws 268A), which prohibits both actual conflicts of interest as well as the appearance of impropriety. In 1978, the Legislature created the State Ethic Commission to administer Chapter 268A. The Commission is charged with civil enforcement of the conflict statute [*NOTE: The Commission is also responsible for collecting Financial Statements from those Department employees who hold major policy making positions (these individuals have previously been so designated and so informed) and these individuals should be reminded that they must file their Financial Statement annually, on or before May 1.*], and it has the responsibility for advising public employees or advisory board members (including Department Area Board Members) of the duties and restrictions imposed by the conflict law. The State Ethics Commission will issue (free) opinions as to whether or not a given factual situation is a conflict of interest. Department employees and Area Board Members should always ask the State Ethics Commission whenever they suspect they might have a conflict of interest. The address is: State Ethics Commission, One Ashburton Place, Boston, MA 02108, and the telephone number is 617-727-0060. Employees should discuss any matter which they feel may present a conflict of interest with their supervisor, Area Director, Regional Director, or the Office of the General Counsel. However, only the State Ethics Commission can give a definitive answer as to whether a certain set of circumstances creates a conflict of interest or the appearance of impropriety.

The State Ethics Commission has issued a booklet entitled "Guide to Conflict of Interest Law." This booklet may be obtained free copy directly from the Commission. In addition, one copy of the booklet has been distributed to every Department Area Office, every Department Regional Office, and every Department Area Board, for easy reference.