



Arkansas Conservation Districts
Training Program

Ethics
Considerations



Abuse of Position



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No Special Privileges

- **No public official or state employee shall use official position to secure special privileges for**
 - **self**
 - **Relatives**
 - **Persons sharing a substantial financial relationship with the official or employee.**





Accepting Gifts

- Public servants may only accept gifts if...
 - The gift is food, lodging, or travel given to the recipient when he/she is appearing in an official capacity.
 - The gift is valued at less than \$100 and given to show public appreciation for job performance.
 - The public servant has an actual personal, professional, or business relationship with the donor independent of his or her official status.





Accepting Gifts

- Public servants may not accept gifts if...
 - The gift is intended to reward a public servant for doing his or her job or it is intended as a reward for past or future action (e.g., bribery).





Confidential Information

- Confidential information: Personal information or business secrets that if disclosed would harm the person disclosing such information or could be used to personally benefit the recipient.
- No public official or state employee shall disclose or use any such information gained by reason of position for personal gain or benefit.
- No public servant shall purposely use confidential government information to secure benefit for his or her family.





Conflict of Interest

- A board member may only participate in, vote on, influence, or attempt to influence an official decision in two situations:
 - If the only personal financial interest is “incidental” to his or her position
 - If the financial benefit accrues to him or her as a member of a profession, occupation, or large class and the benefit will be no different than the benefit to any member of the large group
- No commission or board member of an entity receiving state funds shall participate in any discussion or vote on a rule or regulation that exclusively benefits the member.





Employment Practices



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Hiring Considerations

- Post position announcement in a way that individuals can reasonably be expected to learn about the vacancy
- Develop criteria to score applications and interviews prior to reviewing applications
- Use a standardized instrument to evaluate candidates invited to interview
- Be aware that state employees are prohibited from supervising relatives





Hiring/ Promotion

- **An employer doesn't have to hire, or promote, the most qualified applicant.**
- **However, employment decisions must not be based on**
 - Age
 - Race
 - Sex
 - Religion
 - National origin
 - Disability





Prohibited Interview Questions

- Are you married? Are you planning to get married?
- Do you have children? Are you planning to have children?
- Where were you born?
- What's your sexual orientation?
- Have you ever been arrested?





Acceptable Interview Questions

An interviewer can, however, ask about a personal characteristic if it could hinder the ability to fulfill job requirements. Some examples might be:

- Have you ever been convicted of a crime?
- Can you prove that you are eligible to work in the US?
- Can you do this job with, or without, reasonable accommodations?





Employee Handbooks

- The conservation district employee handbook includes:
 - A statement regarding the at-will employment relationship
 - An equal employment opportunity statement
 - A policy regarding sexual and other types of harassment in the workplace
 - Internet access, e-mail, and voice mail policies





Contact your LRS or ARNC

- **immediately after receiving a report of employment discrimination**
- **immediately after receiving a report of sexual harassment**
- **If you decide to terminate an employee**



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Discrimination & Wrongful Termination

- **Employers are not allowed to terminate or discriminate based on:**
 - Age
 - Race
 - Sex
 - Religion
 - National origin
 - Disability
 - Pregnancy





Wrongful Termination

● It is illegal for an employer to terminate an employee:

- For refusing to break a law
- In retaliation for filing a discrimination or safety claim
- For taking leave under the Family and Medical Leave Act
- Without following its own stated procedure or policy





Workplace Safety

- Public entities must furnish a place of employment that is free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees.



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Workplace Injury

- Workers' compensation is designed to compensate employees who have been injured or killed in work related accidents without having to resort to litigation.
- Dependents of a fatally injured employee may also be entitled to benefits.
- ANRC purchases workers' compensation insurance on behalf of conservation districts.



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Unemployment Benefits

- Unemployment compensation programs are administered by the state and normally provide temporary monetary compensation to workers who have been terminated without cause, through no fault of their own. Employees who voluntarily terminate their employment for “good cause” may also be entitled to benefits.



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Health Insurance after Termination

- Employees may continue health insurance benefits at the employee's expense for up to 18 months after voluntary or involuntary termination.



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● Thank you for your attention!



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