



VT Code of Ethics: Identifying Conflicts of Interest

The Code of Ethics prohibits conflicts of interest and the appearance of conflict of interest

Do I have a conflict of interest or the appearance of one?

A conflict of interest exists if you have a direct or indirect interest in a matter you have influence or control over at work.

OR

A member of your immediate family or household, or a business associate of yours, has an interest in a matter you have interest or control over at work.

Ask Yourself:

Do I have any influence or control over the matter?

No?



No Conflict

Yes, and

Could I (or a family member, etc..) potentially benefit or lose from the outcome of the matter?

No?



No Conflict

Yes, and

Would the benefit or loss be more than the general public (or the average person who would benefit or lose)?

No?



No Conflict

Yes, and

Is the benefit or loss more than just "de minimis"?

No?



No Conflict

Yes?

You have a conflict

Or

Would a reasonable, average person with knowledge of all relevant facts think you have a conflict of interest?

No?



No Appearance of a Conflict

Yes?

You have the appearance of a conflict

I have a conflict of interest or the appearance of one. What should I do?



RECUSE YOURSELF FROM THE MATTER

RECUSAL MEANS: Remove yourself completely from the matter. Do not participate in it anymore. Do not direct or ask anyone to participate on your behalf.



How do I recuse myself ?

You must inform others you are recusing yourself due to a conflict of interest or the appearance of one. You cannot “sit this one out” without telling people why.

Check to see if your State agency or entity has a recusal protocol. If so, follow it.

No State agency or State entity recusal protocol?

Disclose the conflict to your supervisor and ask to be removed from the matter.

No supervisor?

If you are on a board or commission, disclose the conflict to the other members. Not sure who to inform? Reach out to the Ethics Commission for advice.

What if I think I can be impartial, and I don't want to recuse myself?

- ① You must disclose the conflict – **in writing** – including:
- (1) the matter in question;
 - (2) the nature of the conflict;
 - (3) why you think there is “good cause” for you to continue in spite of the conflict.
 - (4) the disclosure must be written clearly, so the public can understand.

- ② File your written disclosure according to your agency's protocols.
- ③ Need a conflict of interest disclosure form? Use the Ethics Commission [form](#), available on our [website](#).

Not sure what to do?
CONTACT THE ETHICS COMMISSION FOR ADVICE

Vermont State Ethics Commission

6 Baldwin St.
Montpelier, VT 05633-7950
802-828-7187

ethicscommission@vermont.gov
<https://ethicscommission.vermont.gov/>



Conflict of Interest FAQs

Q: Who is included in my “immediate family”?

A: “Immediate family” means your spouse or civil union partner, parent, sibling, child, or in-law, including a parent, sibling, or child of a spouse or civil union partner. If one of these people has an interest in a matter, it means you have conflict of interest.

Q: I don’t think I have a conflict, even though others say it might look like I have one. How do I know if I have the appearance of a conflict of interest or not?

A: A conflict exists if a “reasonable person” with knowledge of the relevant facts would consider the situation a conflict.

Q: I have a conflict. Can I just assign the matter to someone who reports to me?

A: Subordinates typically have an incentive to keep the boss happy, so the best course of action is to assign the matter to someone outside of your chain of command. If this is not possible, you must fully recuse yourself from the matter. Continuing to involve yourself in the matter in any way could be construed as directing unethical conduct.

Q: I have a conflict and the Code of Ethics says I need to recuse myself publicly. What steps should I take?

A: Typically, you would inform your supervisor of the conflict, and that you need to recuse yourself. If you are a member of a board or commission, you should disclose the conflict to the other members, and inform them of your recusal.

Q: I may have a conflict of interest, but I still think that I can be impartial. What do I need to do?

A: You must disclose the conflict in writing and explain why you are not recusing yourself. Your agency may have a specific form for this disclosure. If not, the Ethics Commission has a [form](#) you can use. If you decide to prepare your own statement, it must include: (1) the matter in question; (2) the nature of the conflict; (3) why you think there is “good cause” for you to continue in spite of the conflict. The disclosure must be written clearly, so the public can understand. It must be filed according to your agency’s policy.

Q: How can I find help in identifying potential conflicts of interest?

A: Contact the Vermont Ethics Commission for advice: 6 Baldwin St., Montpelier, VT 05633-7950. 802-828-7187.
ethicscommission@vermont.gov.