



Honesty - Integrity - Character

**Palm Beach County
Commission on Ethics**

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News Release

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Summary of Palm Beach County Commission on Ethics Meeting Held on August 2, 2018

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on August 2, 2018.

The Public Report and Final Order for complaint C17-002 was published in public session. After hearing oral arguments from the advocate and respondent's attorney, listening to and reviewing witness testimony, and reviewing documentary evidence, the COE hearing officer concluded that clear and convincing evidence did not exist to conclude that respondent violated §2-443(b), *corrupt misuse of official position*, and the complaint was dismissed.

One complaint was heard in executive session. The complete file is published on the COE website at: <http://www.palmbeachcountyethics.com/complaints.htm>.

C17-001: After considering the investigative report, probable cause recommendation, and statement of the COE advocate, the COE found probable cause did not exist and dismissed the complaint.

Two advisory opinions were approved. The full opinions are published and available at: <http://www.palmbeachcountyethics.com/opinions.htm>.

RQO 18-012: A municipal employee asked if the Code of Ethics prohibits him from accepting an unsolicited gift for Father's Day from a member of the senior center where the employee works when the gift giver is not a municipal vendor or a lobbyist or principal or employer of a lobbyist who lobbies his public employer.

The COE opined as follows: Based on the facts provided, the employee did not use his official position as the supervisor of the senior center to obtain this gift from one of the center's members. Because this was an unsolicited gift that was not given to him in exchange for any quid pro quo or other special consideration, but rather as a general expression of appreciation, it is not prohibited by the code. Although the code does not prohibit the acceptance of this gift, the employee must also take care to follow any policies that his public employer has established regarding gifts.

RQO 18-013: A Palm Beach County Fire Rescue employee asked if the code prohibits his department from hiring the daughter of a Fire Rescue employee.

The COE opined as follows: Based on the facts provided, the code does not prohibit the hiring of the daughter. The anti-nepotism section would not apply to this situation because the employee does not have the authority to appoint, employ, promote, or advance individuals within the section where his daughter would be working. Additionally, because the employee had no involvement with the interview process involving the position that his daughter applied for or the selection of his daughter, there is no prohibited conflict of interest per se under the code based solely on the father-daughter relationship. However, the department must also take care to follow any applicable policies that the employing entity may have established regarding the hiring of any family relative of a current employee.

A detailed explanation of all agenda items is available at
<http://www.palmbeachcountyethics.com/meetings.htm>.

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