



Honesty - Integrity - Character

**Palm Beach County
Commission on Ethics**

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March 3, 2017

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Summary of Palm Beach County Commission on Ethics Meeting Held on March 2, 2017

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on March 2, 2017.

The final hearing for complaint C16-006 was held in public session. Four witnesses testified. The hearing will resume on Monday, March 6, at 10 a.m.

One advisory opinion was approved. The full opinion is published and available at:

<http://www.palmbeachcountvethics.com/opinions.htm>

RQO 17-002: A Palm Beach County Fire Rescue employee asked if a conflict of interest would arise for him if he also works as an independent contractor for Schaeffer's Specialized Lubricants and sells the Schaeffer's products to NAPA Auto Parts (NAPA), a Palm Beach County vendor.

The COE opined as follows: The Palm Beach County Code of Ethics prohibits the employee from entering into any contract or other transaction, directly or indirectly, to provide goods or services with his public employer (Palm Beach County), unless an exception applies. He is also prohibited from working as an independent contractor for a company who is a vendor of Palm Beach County. Therefore, the employee is prohibited from promoting or selling Shaeffer's products to the county because if Shaeffer's becomes a county vendor, even if his sales as an independent contractor would only be to municipalities or other entities or individuals. As such, he has an ongoing responsibility to confirm that Shaeffer's has not become a vendor of the county without your knowledge.

In addition, the code prohibits him from entering into any contractual relationships with a vendor of the county if he would be providing goods and services to the county through that contract. This would create an indirect contract between him and his public employer and violate Sec. 2-443(d) of the code. Thus, if Shaeffer's enters into any contracts with NAPA, the employee would be prohibited from promoting or selling Shaeffer's products to NAPA (a county vendor) if the contract between NAPA and Shaeffer's will solely be for products that NAPA will use to fulfill a contract that it has with the county, as this would constitute a prohibited indirect contract with NAPA.

A detailed explanation of all agenda items is available at

<http://www.palmbeachcountvethics.com/meetings.htm>.

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