

June 23, 1997

Re: I-97-131

You inquired whether it would be a conflict of interest for you to use "travel dollars" you earned during your previous employment, now that you are a county employee. You indicated that these travel dollars were granted to you for selling a certain amount of merchandise for specific manufacturers. The only use of these travel dollars is for trips to Europe and other specified places. They cannot be redeemed for cash and if they are not used, they are forfeited. These trips are considered by your previous employer to be educational and of benefit to your employer as well as to you.

The simple answer to your inquiry is that it would not be a violation of the Public Ethics laws for you to use these "travel dollars". They do not constitute a gift to you because they were given to you in exchange for your work on the job, a valuable and adequate consideration. The travel dollars constitute compensation to you and therefore, there is no violation of the gift provision, §3-106. Since you are no longer associated with your previous employer, there is no issue of conflict of interest between that employer and the county and there are no issues of prohibited secondary employment. You indicated that on some occasions your former employer did have some minor contracts with the community college, but since you have no ongoing relationship with your former employer, and since your official contact with the community college does not have any impact on such contracts, there is simply no issue of conflict or appearance of conflict.

The only possible issues concerning your use of these "travel dollars" to travel to Europe would be issues of annual leave policy and to the extent that those issues exist, they are beyond the jurisdiction of the ethics commission.

Thank you for your inquiry and I hope you have a wonderful trip. If you have any questions, please feel free to call anytime.

Sincerely,

Betsy K. Dawson, Executive

Director