

HHC - Misuse of Position



☒ _____: Making a decision or performing an act that gives an advantage to the decision-maker, to a person close to him or her, or to a third person.

No employee of the Hunger & Homeless Coalition of Collier County (HHC) shall not use his or her position to coerce or induce another person, including a subordinate, to provide any benefit to the employee.

This prohibition extends to benefiting our family, friends, organizations we are affiliated with in a nongovernmental capacity, and persons we seek employment with.

The listed prohibitions set forth in 5 CFR 2635.702 are not exclusive.

For instance, as employees of the Hunger & Homeless Coalition of Collier County we should not be exercising our position and authority when such action is motivated purely by personal, non-official reasons.

Endorsements are a common area where employees may be confronted with the opportunity to misuse their position. An employee shall not use or permit the use of his or her position or title or any authority associated with his or her position to endorse their personal activities or any product, service or enterprise. There are some exceptions to this rule, such as statutory authority.

Do not assume you have statutory authority to give an endorsement. If you think there might be statutory authority to officially endorse something, you should engage in some research and confirm that there is a specific law, implementing regulation, directive, or other policy document that provides you and your agency with the authority to endorse the product, service or enterprise.

If you are teaching, speaking, or writing in a personal capacity, you may refer to your official title or position only if that fact is part of a larger biography, or you provide a disclaimer that the views you are expressing are yours and not the Hunger & Homeless Coalition of Collier County's. Letters of recommendation are a common form of endorsement that may be permitted.

Of course, employees may always write a letter of recommendation in their personal, unofficial, capacity. However, employees may use their official titles on letters of recommendation or character reference when when:

1. They are responding to a request for an employment recommendation or character reference, AND
 2. They have personal knowledge of the requesting applicant's ability or character, AND EITHER:
 - a. The author has dealt with the applicant in the course of employment,
- OR
- b. The letter will be used by the applicant in the pursuit of employment.

An employee may not use nonpublic information to further his or her own private interest or that of another, whether through advice or recommendation, or by knowing unauthorized disclosure of the nonpublic information. Probably the most well-known example of this is engaging in financial transactions using nonpublic information, sometimes known as as "insider trading." But it encompasses much more. As Hunger & Homeless Coalition of Collier County employees, we may not knowingly and without authority release nonpublic information to anyone, including the media, contractors and vendors, or advocacy groups.

As Hunger & Homeless Coalition of Collier County employees we have a duty to protect and conserve HHC property and must not use it, or allow its use, for other than purposes authorized by law or regulation. HHC property includes any form of real estate or personal property that HHC owns or leases. It includes any right or other intangible interest that is purchased with HHC funds or any granted funds.

Examples of HHC property include office supplies, Information Technology & communication equipment, client/employee records, the services of contractor personnel , even intellectual property and software.

There is a prominent exception to this rule at HHC. HHC employees may be permitted by their supervisory chain, pursuant to rules set out by the HHC Executive Director, to use the agency's telecommunications and Internet resources for personal matters on an occasional basis provided that the use involves minimal expense to HHC and does not interfere with official business or violate Federal law.

As a HHC employee it is usually a good idea to limit your use to a reasonable duration and frequency, and also to limit the use to your personal time-, after work or during lunch perhaps.

And of course there are some things that are never permitted. Such as business activities, or activities that may be inappropriate or offensive to fellow employees or the public.

Unless authorized in accordance with law or HHC regulations to use official time for other purposes, an employee shall use official time in an honest effort to perform their official duties.

This basic rule extends to supervisor's management of their subordinate's time. Supervisors and managers of HHC may not encourage, direct, coerce, or request a subordinate to use official time for anything other than official duties or authorized uses. Your supervisor may permit you to make limited and occasional personal use of official time provided this use does not affect the performance of your official duties.

If you have questions about the Misuse of Position Policy at HHC please discuss with the Executive Director.

Signature of Employee: _____ Date Signed: _____
Name of Employee: _____ (printed)

Signature of Executive Director: _____ Date Signed: _____
Name of Executive Director: _____ (printed)