

§ 805.735-24

§ 805.735-24 Review of financial statements.

(a) The Personnel Officer shall review each statement of employment and financial interests submitted under the regulations in this part (other than his own, which is reviewed by the Managing Director) to determine whether conflicts of interest or apparent conflicts of interest exist. If the review, or other information from other sources, indicates a conflict between the interests of an employee or special Government employee and the performance of his services for the Board, the Personnel Officer shall forward the statement, together with a position description of the employee involved, to the General Counsel of the Board.

(b) The employee or special Government employee whose statement has been referred under the provisions of paragraph (a) of this section will receive, from the General Counsel, advice and guidance regarding the matters questioned by the Personnel Officer. He will be afforded an opportunity to explain the conflict or appearance of conflict. It is expected that most problems will be settled at this informal stage. However, if an agreement cannot be reached after consultation, the matter shall be reported by the General Counsel, after consulting with the Managing Director, to the Chairman for resolution.

(c) The Chairman may provide the employee or special Government employee concerned with an additional opportunity to explain the conflict or appearance of conflict. If the matter cannot be resolved, the Chairman may invoke the disciplinary provisions of § 805.735-27, or may decide that remedial steps shall be taken with regard to such employee or special Government employee. When the questions of conflict of interest are resolved at one of the stages of review, the reviewing official shall sign and date a copy of the employee's statement to evidence his clearance, and this statement shall thereafter be kept as provided in § 805.735-21.

[40 FR 30239, July 17, 1975, as amended at 41 FR 39758, Sept. 16, 1976]

49 CFR Ch. VIII (10-1-10 Edition)

§ 805.735-25 Publication and interpretation.

(a) The Personnel Officer of the Board shall be responsible for making the regulations in this part and all revisions thereof, and the formats for statements of employment and financial interests available to:

(1) Each Member, employee, and special Government employee at the time of issuance and at least annually thereafter;

(2) Each new Member, employee, and special Government employee of the Board at the time of his entrance on duty; and

(3) Each Member, employee, and special Government employee of the Board at such other times as circumstances warrant.

(b) The Personnel Officer shall have available for review by Members, employees, and special Government employees of the Board, copies of such laws, Executive orders, Civil Service Commission regulations and instructions, and Board regulations as may currently appertain to their standards of ethical and other conduct.

(c) The General Counsel of the Board is designated to provide counseling and assistance to interpret the regulations in this part and matters relating to ethical conduct, particularly matters subject to the provisions of the conflict-of-interest laws and other matters covered by the Executive order. These counseling services are available to all Members, employees, and special Government employees at the General Counsel's office, by appointment for consultation or by written communication.

§ 805.735-26 Employee's complaint on filing requirements.

An employee who believes that his position has been improperly included under the regulations in this part, as one requiring the submission of a statement of employment and financial interests, may request review through the Board's grievance procedure.

§ 805.735-27 Disciplinary or remedial action.

(a) A violation of the regulations in this part by an employee or special Government employee may be cause