



MEC
OPINION NO.

2002.05.109

COPY

STATE OF MISSOURI
MISSOURI ETHICS COMMISSION
P. O. BOX 1254
JEFFERSON CITY, MISSOURI 65102

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May 30, 2002

At the May 23, 2002 meeting of the Missouri Ethics Commission, your request for an opinion was discussed. The following is the Commission's response to your question:

Can I provide child daycare while also being employed by the Division of Family Services?

From the facts presented, it is the Commission's opinion that your secondary employment as a child daycare worker does not violate the conflict of interest laws as contained in section 105.452, RSMo.

The Commission has statutory authority to issue opinions concerning potential conflicts of interest governed by sections 105.450 through 105.467, RSMo. However, the Commission cannot opine on whether an employee's conduct may violate the employer's internal rules and policies. Therefore, to the extent your opinion request asks for guidance regarding whether your conduct violates the Division of Family Services policies involving outside employment, the Commission does not opine. That determination must be made by your agency.

Sincerely,

R. F. Connor
Executive Director

RFC:bd

NOTICE

Anyone examining this advisory opinion should be careful to note that an opinion of the Missouri Ethics Commission deals only with the specific request to which the opinion responded and only as to the law as it existed at the date of the response and cannot be relied upon for any other purpose or in any other manner.