

Contact us

We're here to help!



(808)270-8078



WWW.MAUCOUNTY.GOV/170/BOARD-OF-ETHICS

Physical Address:

2145 Kaohu Street, Suite 104
Wailuku HI 96793

Mailing Address:

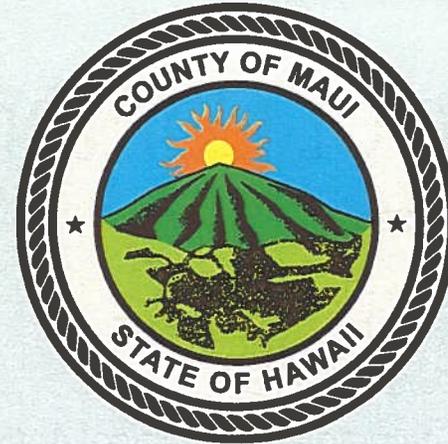
200 S. High Street
Wailuku, HI 96793

Phone: (808)270-8078

Fax: (808)270-8044

Email: boardofethics@maucounty.gov

BFED-47



Maui County Board of Ethics

"We hold the public's trust."

Plain Language Guide

RECEIVED AT BFED MEETING ON 1/27/26

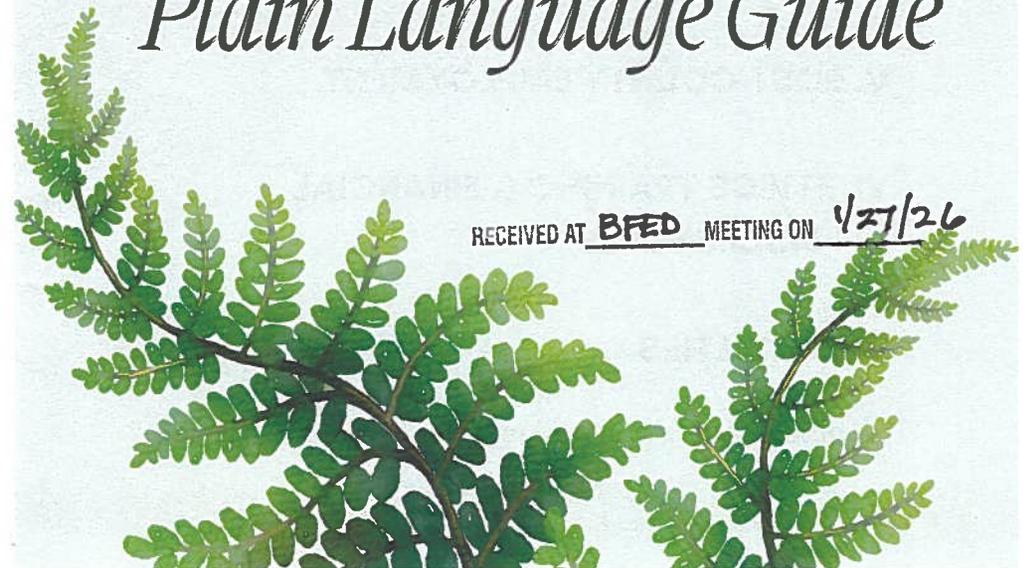


Table of Contents:

I. INTRODUCTION

II. FAIR & EQUAL TREATMENT

- A. General Policy
- B. Campaign and Political Activities

III. CONFLICTS OF INTEREST

- A. Gifts
- B. Confidential Information
- C. Business & Financial Interests
- D. Personal Relationships
- E. Non-County Employment

IV. REPORT & REMOVE

V. POST-COUNTY EMPLOYMENT

VI. ETHICS TRAINING & FINANCIAL DISCLOSURES

VII. PENALTIES

This brochure is a general guide and not legal advice.

VII. PENALTIES

If a County officer or employee is found to have violated ethics laws, the BOE may impose a civil fine of not more than \$1,000 per violation and take such other actions as are deemed necessary and appropriate.

See Maui Charter §10-5; MCC §2.56.010; BOE Rule §04-101-69.2 (c)(4).

ONE YEAR "COOLING OFF" PERIOD

For one year after leaving County employment:

- If a former Mayor or Council Member, you may not appear for pay before any County agency.
- If a former Mayor or Council Member, you may not appear for pay before any County agency.
- If a former County officer or employee, you may not appear before any County agency by which you were employed.

See Maui Charter §§10-4.2.a. and b.

VI. ETHICS TRAINING & FINANCIAL DISCLOSURES

The BOE plans to provide and require regular periodic ethics trainings for all County employees. We will notify you when that begins.

Certain County officers, employees, and board and commission members must file initial and annual financial disclosures.

See Maui Charter §10-3; MCC §2.56.060.

I. INTRODUCTION

This Guide explains Maui County's Code of Ethics simply and quickly. Understanding the Code will help you spot issues and make ethical decisions.

The Maui Board of Ethics (BOE) consists of nine volunteer members who are vetted by the Independent Nomination Board, appointed by the Mayor, and confirmed by the Maui County Council. The BOE advises, educates, and enforces the County's ethics laws and rules. The BOE is supported by full-time staff.

Ethics laws apply to all County officers and employees, including full-time, part-time, and contract employees, as well as board and commission members. These laws are stated in the Maui County Revised Charter (Art. 10), the Maui County Code (Chapter 2.56, Code of Ethics) ("MCC"), and the BOE administrative rules (Title MC-04, Subtitle 01, Chapter 101) ("BOE Rules").

Ethics laws prevent personal and financial interests from influencing official County decisions and help maintain public trust in the integrity of our County government.

Departments may have separate ethics rules or policies that are stricter than the Code of Ethics. In that case, the stricter policies control.

See Maui Charter, §§10-1 and 10-2.

IV. REPORT & REMOVE

It is best practice to disclose a real or potential conflict of interest to your supervisor, board, or commission when you become aware of it. You may request an informal opinion from a Board of Ethics staff attorney, or you may request a formal opinion from the Board of Ethics.

Remove yourself from participation to avoid a conflict. Best practice is to leave the room and not discuss, decide, vote, or do anything to influence the matter.

V. POST-COUNTY EMPLOYMENT

You may not:

- Be paid by a private company or employer for services rendered in relation to any case, proceeding, or application in which you were directly involved, that was under your active consideration, or about which you obtained knowledge that is not generally available to the public, as a County employee.

- You may work on a County project or appear before a County agency if you are doing so on behalf of the County.

See Maui Charter §10-4.1.f; MCC 2.56.050.

II. FAIR & EQUAL TREATMENT

County employees may not use their positions or County resources to give themselves or others favors or special treatment that is not available to everyone.

See Maui Charter §§10-4.1.d. and 10-4.1.g.

County resources include anything paid for by the County - your County position, title, personnel, time, materials, facilities, vehicles, and equipment.

A. General Policy

- "Elected and appointed officers and employees shall demonstrate by their example the ***highest standards of ethical conduct*** to the end that the public may justifiably have trust and confidence in the integrity of government." ***Maui Charter §10-1*** (emphasis added).

See Maui Charter § 10-4.

B. Campaign & Political Activities

You may not use County resources (e.g., County time, equipment, including computers, printers, email, personnel) to:

- Sell, purchase, or distribute campaign or fundraiser tickets

- Conduct political meetings
- Distribute campaign literature or materials

of ethical conduct to the end that the public may justifiably have trust and confidence in the integrity of government." Making a decision to directly benefit your close friend/relative may implicate the appearance of impropriety and erode trust.

Conflict of interest laws help County officers and employees avoid having a split duty of loyalty.

See Maui Charter §10-4g.

E. Non-County Employment

You may have an outside job so long as it does not create any conflicts of interest with your County job and you do not use any County resources for the outside job.

While not required, it is recommended that you disclose your outside employment upon entering County employment, upon promotion or agency transfer, and when accepting a new job. You may also request an informal or formal Board of Ethics opinion regarding your outside job.

Generally, you may not engage in outside work that brings you before a County agency (e.g., submitting permit applications to a County agency or representing a private company before a County agency). Further, you cannot represent anyone against the interests of the County.

Maui Charter Section 10-4.4.

- Solicit campaign contributions, support, or assistance
- Produce campaign literature or materials
- Act as a party or campaign committee member
- Solicit party or campaign members, engage in sign-waving, conduct social media marketing, or fundraise

This is not an exhaustive list and provides examples only. **See Hawaii Revised Statutes §84-13; Maui Charter §10-4.**

III. CONFLICTS OF INTEREST

A conflict occurs when a real or seeming incompatibility occurs between your personal interests and your public or fiduciary duties as a County employee.

See BOE Rule §04-101-3.

Conflicts of interest are determined from an objective point of view. Your subjective belief is irrelevant. Ask yourself, "What would a reasonable person believe?"

A. Gifts

A gift is anything you receive for which you do not pay fair market value, such as drinks, meals, conference fees, and complimentary or discounted tickets, including charity events. This is not an exhaustive list and is provided for illustrative purposes only.

County officers and employees are not allowed to solicit or receive a gift, direct or indirect, which can reasonably be inferred as intended to influence the performance of your County job or as a reward for official action by you as an employee. This prevents reciprocity—a feeling of obligation to return the favor.

Reasonable person standard: the question is what would a reasonable person believe under the circumstances as to whether the gift was intended to influence or reward performance of your County duties, not what you believe.

If you are offered a prohibited gift, you must refuse it or promptly return it.

You are discouraged from accepting gifts from County vendors, contractors, clients, lobbyists, parties to a contested case hearing, and customers.

Note: The BOE plans to revise County gift rules in 2026.

See Maui Charter §10-4.a.

B. Confidential Information

Confidential information is any information you know because of your County job which is not readily available to the public. You may not disclose or use confidential County information for your own or anyone else's benefit.

See Maui Charter, Sec. 10-4b.

C. Business & Financial Interests

You may not:

- Engage in a business activity or have a financial interest that is incompatible with your County duties (e.g., you own a restaurant, and your County job is to inspect your restaurant for fire code violations)

- Engage in a business activity or have a financial interest that may affect your judgment. Factors you should consider include: the amount of the financial interest, the extent of discretionary authority, and whether the matter is directly related to your County duties.

- Fail to disclose your financial interest that may be affected by County agency action or vote on a matter affected by such financial interest.

See Maui Charter §§10-4.c. and e.

D. Personal Relationships

A County officer or employee should not participate in making a decision if it directly affects someone with whom the officer or employee has a close personal tie (e.g., close friend or relative). Maui County is a small community, but our obligation is to "demonstrate ... ***the highest standards***