

SETTLEMENT AGREEMENT

This agreement made and entered into between the Executive Branch Ethics Commission (hereinafter the “Commission”) and Billie Buckley.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. Billie Buckley*, Agency Case No.16-002.

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on March 14, 2016, the Commission alleged facts in an Initiating Order that Billie Buckley violated the Executive Branch Code of Ethics codified at KRS 11A.020(1)(a), (b), and (d), KRS 11A.020(2), and KRS 11A.020(3);

WHEREAS, Billie Buckley was at all relevant times mentioned in the Initiating Order a “public servant” as defined in KRS 11A.010(9) and thus subject to the Executive Branch Code of Ethics; and

WHEREAS, Billie Buckley indicates her desire to resolve all issues in this action by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and Billie Buckley agree, pursuant to KRS 11A.100, as follows:

1. Billie Buckley admits that she committed violations of the Executive Branch Code of Ethics codified at KRS 11A.020(1)(a), (b), and (d), KRS 11A.020(2), and KRS 11A.020(3) as stated in the Appendix A to the Commission’s Initiating Order of March 14, 2016, attached hereto and incorporated by reference herein.

2. Billie Buckley agrees to pay the Commission a civil penalty of One thousand dollars (\$1,000.00) concurrently with the execution of the Settlement Agreement.

3. Billie Buckley agrees that upon the Final Order being issued by the Commission that she waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.

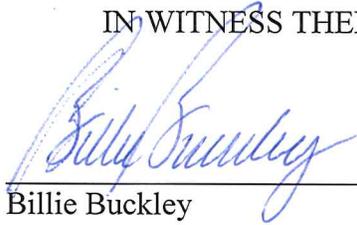
4. Billie Buckley agrees to forfeit any tax refund that she may be entitled to receive to the Executive Branch Ethics Commission to be applied towards the civil penalty remaining referenced in paragraph two (2) above each year until the full civil penalty is paid.

5. The parties further agree that the acceptance of this Settlement Agreement and Final Order by both parties, and the fulfillment of its express terms, is in full accord

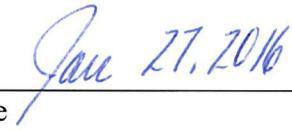
and satisfaction of the herein referenced *Executive Branch Ethics Commission v. Billie Buckley*, Agency Case No.16-002.

6. This Settlement Agreement constitutes a public reprimand to Billie Buckley, a copy of which will be provided to her appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:



Billie Buckley



Date

EXECUTIVE BRANCH ETHICS COMMISSION:



Chair, William David Denton

Date



Vice Chair, William G. Francis

Date



Member, Richard L. Masters

Date



Member, Martin E. Johnstone

Date



Member, Sheila R. Isaac



Date

**APPENDIX A
CASE NO. 16-002
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Billie Buckley, was at all relevant times an employee of the Commonwealth of Kentucky, serving in the Department of Worker's Claims, (also referred to herein as "the Department"), Kentucky Labor Cabinet. As such, the Respondent was subject to the jurisdiction of the Commission. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Billie Buckley committed the following violation:

COUNT I

That Billie Buckley, during her course of employment and while serving in a Supervisory position, with the Department of Worker's Claims, Kentucky Labor Cabinet, attempted to or used her influence in a matter which involved a substantial conflict between her personal or private interest and her duties in the public interest; attempted to or used any means to influence her agency in derogation of the state at large; attempted to or used her official position to secure or create privileges, exemptions, advantages, or treatment for herself or others in derogation of the state at large; failed to avoid all conduct which might in any way lead members of the general public to conclude that she was using her official position to further her professional or private interest; and failed to abstain from action on an official decision in which she had or may have a personal or private interest creating a conflict of interest that was a substantial threat to her independence of judgment, had a negative effect on public confidence in the integrity of the executive branch, had a significant effect on the disposition of the matter, and affected her in a manner differently from the public.

Specifically, Ms. Buckley had a close personal relationship with a subordinate employee over which she had supervisory authority. Further, upon the subordinate employee's request, she supplied interview questions to an interviewee, who was a close, personal friend of the subordinate employee, prior to the interview for a position with the Department giving the interviewee an advantage over the other applicants for the position. Ms. Buckley then failed to recuse herself from the interview panel and participated in the selection of subordinate employee's friend for the position with the Department.

By engaging in such conduct, Ms. Buckley failed to avoid conduct that would lead the general public to conclude that she was using her official position to further her private interest. These facts constitute a violation of KRS 11A.020(1)(a), (b), and (d), and KRS 11A.020 (2) and (3) which state as follows:

KRS 11A.020:

- (1) No public servant, by himself or through others, shall knowingly:
 - (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest;
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;

 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.
- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.
- (3) When a public servant abstains from action on an official decision in which he has or may have a personal or private interest, he shall disclose that fact in writing to his superior, who shall cause the decision on these matters to be made by an impartial third party.

(End of document)