ETHICS:

A PLAIN LANGUAGE GUIDE TO CHAPTER 68,

NEW YORK CITY'S CONFLICTS OF INTEREST LAW

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THE CONFLICTS OF INTEREST BOARD
2 LAFAYETTE STREET
SUITE 1010
NEW YORK, NY 10007

(212) 442-1400
(212) 437-0705

WWW.NYC.GOV/ETHICS

INTRODUCTION

New York City public servants make official decisions every day: whether or not buildings are up to code, what kinds of equipment to buy for an office, who is eligible for public assistance, or what grades students in public schools receive, just to name a few. One responsibility of every public servant is to **protect the integrity** of, and **public trust** in, those decisions by adhering to the Conflicts of Interest Law set forth in Chapter 68 of the City Charter. This Plain Language Guide is meant to introduce you to the ways in which Chapter 68 addresses various issues of integrity in government. Some of these rules will seem quite obvious. Others may not. Please remember that the Conflicts of Interest Board is available to answer any questions you may have concerning this law and your particular situation. The Board's main number is listed on the last page of this booklet.

Chapter 68 of the New York City Charter, the Conflicts of Interest Law, regulates conflicts between your public duties and private interests. The COIB, or New York City Conflicts of Interest Board, is the agency that administers, enforces, and interprets Chapter 68.

For the most part, conflicts, under this law, are financial or political in nature.

Example: During the holiday season, a representative from a company your agency frequently deals with offers you a valuable gift.

While a private company may allow its employees to receive expensive holiday gifts from firms with which they do business, City workers are prohibited from accepting such gifts.

Having such a restriction for public servants makes sense for a number of reasons. Obviously, if the gift is used to sway your opinion, then the vendor has purchased influence with this gift. That can make it seem like your official decisions have as much to do with who gives you valuable gifts as it does with what's good for the public.

But even if the gift isn't explicitly meant to sway your opinion, it's still problematic. The mere acceptance of a gift from someone with matters before you can lead to questions about your integrity in dealing with this vendor. Those questions are likely to be raised by stakeholders. In public service, stakeholders are a large, diverse group: competing vendors, fellow-employees, and members of the public and the press. To those stakeholders, the acceptance of such a gift presents at least an **appearance of impropriety**, and such an appearance can sap the public's trust both in your official integrity and that of the City as a whole. As such, Chapter 68 prohibits not just the acceptance of the valuable gift in exchange for special consideration (an impropriety), but also the acceptance of the valuable gift **period.**

The conflicts of interest rules found in Chapter 68 represent the bottom line, not necessarily the highest standards that one could aim for as a City employee. For example, you might refuse to accept **any** gift from a vendor with whom your agency does business, however small, because accepting it would send the vendor or the public the wrong message. **And, in fact, some agencies do actually have regulations that prohibit their employees from accepting any gift from any entity with business before that agency. You should check with your agency counsel to find out if this applies to your agency.**

WHO IS COVERED UNDER CHAPTER 68?

The rules of conduct discussed in this booklet apply to all paid City officers, employees, and officials, regardless of salary or rank, whether full-time, part-time, or *per diem*. Some of these rules also apply to those who are not paid for City service, but who play an important role in government, such as members of Community Boards and Community Education Councils. Depending on the type of public servant in question (part-time/full-time/*per diem*, paid/unpaid) the rules may apply somewhat differently. For example, a Community Board member may be able to hold interests in private businesses that a full-time public servant would be prohibited from holding.

WHAT THIS BOOKLET WILL TELL YOU

This Plain Language Guide discusses the following areas where potential conflicts of interest for City employees may arise:

- Accepting Gifts, Entertainment, Meals, Tips, and Travel
- Misusing City Position for a Private Advantage

- Receiving Income from Second Jobs, Your Own Business, and Investments
- Volunteering for Not-for-Profit Organizations
- Engaging in Political Activities
- Using or Disclosing Confidential Information for Private Purposes
- Leaving City Service (Post-Employment Restrictions)

The guide also discusses:

- What Can Happen to Violators of the Conflicts of Interest Law
- How to Report Conflicts of Interest Violations
- Whistleblower Protection
- How to Obtain Information on the Conflicts of Interest Law
- Approval Letters and Waivers of the Conflicts of Interest Law
- Requesting a Training Session for Your Agency

For More Information

We hope this booklet makes you more aware of the kinds of conflicts of interest that can arise between your public duties and your private interests. We also hope that you reach out to the COIB if you ever need help in figuring out how to address a potential conflict of interest situation before it becomes a problem for you or the agency where you work.

In the back of this booklet, you will find a **Quick Reference** to the Conflicts of Interest Law and the Board's Rules on the topics discussed in this booklet.

For specific advice on the ways in which these general rules apply to you, contact the **NYC Conflicts of Interest Board at (212) 442-1400.** For advice on any special rules that your agency may have, contact your agency's general counsel.

You may also consult our web site at: www.nyc.gov/ethics

ACCEPTING GIFTS, ENTERTAINMENT, MEALS, TIPS, AND TRAVEL

Every New York City public servant is subject to Chapter 68's **Valuable Gift Rule**. This means that, in general, you are not permitted to accept a gift worth $50

or more ($50 is the current definition of "valuable" for Chapter 68 purposes) from any person or firm that you know, or should know, does, or intends to do, business with the City.

Whose responsibility is it to find out if the person giving you a gift has or intends to do business with the City? Yours, although if the gift is being offered to you in connection with your City job, it's more likely than not that the giver has some sort of dealings with the City.

This rule is aggregate and cumulative, meaning that two or more gifts that individually are worth less than $50 (such as a $15 gift and a $36 gift) would be counted together (as a gift valued at $51) if you receive them within any twelve-month period from the same person, or relatives of the same person, or "affiliated" persons (like two employees of the same company).

A gift could come in many forms: money, a bottle of scotch, dinner at a local restaurant, tickets to a basketball game, a trip to Atlantic City, renovations on your house, or anything else. Accepting any thing valued at $50 or more from someone doing business or seeking to do business with the City would constitute a violation.

What about gifts from people who have no business dealings with the City?

Be careful. Accepting a gift that is offered to you solely because of your City position may be a **misuse of position** and a violation of the Conflicts of Interest Law, even if the giver has no business with the city.

Example: You work at the Department of Urgent Services of the City. George owns a small business in the neighborhood in which your City agency's office is located. It has no business dealings with the City. George is very active in the community and has come to some public information sessions hosted by your agency. After one of these sessions, George reaches out to you personally and offers to take you out to an expensive dinner so he can learn more about your agency. You may not accept this meal from George. To do so would be a misuse of your City position.

THERE ARE SOME EXCEPTIONS

Social Exception:

A gift customary on social occasions may be permitted as long as the reason for the gift is a close personal friendship that **precedes** any business relationship you have with the giver in question. It has to be clear, however, that the personal relationship is the motive for the gift. If the giver in question is an old friend, but now has matters directly under your consideration, the motive may not be so clear, and you may wish get an official opinion from the Board.

There are other exceptions to the Gift Rule, such as:

Plaques:

- Acceptance of awards and plaques presented in recognition of public service that have no substantial resale value.

Travel Expenses:

- Acceptance of travel-related expenses from a private entity as a gift to the City (rather than to you individually) when:
  (1) the trip has been approved by your agency;
  (2) the trip is for a City purpose and could therefore be paid for with City funds;
  (3) the travel arrangements are appropriate for that purpose; and
  (4) the trip is no longer than reasonably necessary to accomplish the business which is its purpose.

;

Example: You are sent by your agency to evaluate a potential purchase from a vendor in New Mexico. The vendor is paying for your flight and accommodations. As long as the trip is approved by your agency and is no longer or more extravagant than necessary (this means you fly coach, in case you're wondering), then this would be seen as an acceptable gift to the City, not to you. After all, if the vendor didn't pay for your ticket, the City would have to.

Tickets:

- It is okay with the City's Conflicts of Interest Law to accept a free ticket to:
  (1) professional or educational programs as a guest of the sponsoring organization;
  (2) ceremonies or functions sponsored or encouraged by the City as a matter of City policy;
  (3) a public affair of an organization that is made up of representatives of business, labor, professions, or news media or organizations of a civic, charitable, or community nature as a guest of the sponsoring organization (unless it has a contract with or a matter before your agency); or
  (4) a function or occasion where your agency head has, in writing, approved your attendance as being in the interests of the City.

Example: You work at the Department of Cultural Affairs, in close contact with a number of theaters that receive money and materials from DCA. One of the theatres you work with is hosting a yearly gala event, where they will thank funders and show excerpts from a number of their projects. They have invited you to this gala. In this circumstance, if your agency head deems it in the City's interest to have you there as a DCA representative, in order to see how they have put DCA's assistance to use, this would be acceptable.

Exceptions of this nature are described in **Rules of the Board** available from the Conflicts of Interest Board. The Rules are also available on the Conflicts of Interest Board web site at www.nyc.gov/ethics

GIFTS BETWEEN TWO OR MORE PUBLIC SERVANTS

Since we're talking about gifts, you may be wondering about gifts within the office. Technically, the City's "Valuable Gifts Rule" only applies to gifts given to public servants by people who do business, or seek to do business with the City. There is no gifts-related rule that prohibits you from giving a valuable gift to, or receiving a valuable gift from, a colleague who is also a public servant. However, there are some things to think about if the gift-giving occurs between a superior and a subordinate, particularly if it is the subordinate giving a valuable gift to the superior. We address those issues in the "Superiors and Subordinates" section on page 18.

GIFTS VERSUS TIPS:

The conflicts of interest law prohibits you from accepting anything of value from anyone for performing your City job, whether you ask for it or someone just wants to say, "thank you" You are also not allowed to accept anything of value from any person whose interests may be affected by your actions as a City employee. This is what is referred to as an "illegal gratuity." Even with the best of intentions, the acceptance of such gratuities creates an overall perception that a gratuity is **required** to obtain services that New Yorkers already pay for with their taxes. When it comes to tips there is **no** dollar amount that is permissible: not $50, not $5, not 50 cents.

In general, public servants should be careful of any offers of gifts or gratuities, as the person offering may be attempting a bribe. (A bribe is something offered to you with the understanding that it will influence your official conduct. As with gratuities, bribes are illegal whatever the amount offered.) You should immediately report the **offer** of a gratuity or gift or bribe to the Inspector General of your agency or to the Department of Investigation.

Example: A private resident has put his discarded couch on the curb for collection by the Sanitation Department. To show his appreciation for the Sanitation workers who collected his couch, he gives them each $10. This is an illegal gratuity under the Conflicts of Interest Law.

"What about flowers or chocolates, or other perishables?"

There may be times when items of appreciation, sometimes perishable, sometimes not perishable, get offered or sent to City employees by satisfied clients, customers, or vendors. If such items are offered to you, you should:

1. Thank the donor, but graciously refuse the item.

2. If the donor has already sent or left the item before you could refuse it, you should return the item.

3. If it is not possible to return the item, contact your Inspector General, who will determine how to dispose of the item.

4. Finally, if the gift comes to your home, no matter what it is, call your Inspector General immediately and do not consume it.

What about promotional "schwag," like pens, mugs, pins, hats, etc.

Most of this stuff is of such trivial value, it is not worth mentioning, even in a "Valuable Gifts" context. However there are exceptions to everything: the pen that's made of gold, the hat that's made of fur, the mug that's signed by a sports star, etc. Normal promotional items, however, that are of no substantial resale value can usually be accepted and used.

As mentioned in the Introduction, your own agency may have rules that are stricter than Chapter 68's. For example, some agencies prohibit their employees from accepting **any** gifts from any firm that does business with that agency. Why? Each agency has a different business relationship with outside vendors, clients, and other City agencies, so employees in some agencies are more strictly regulated than in other agencies. When applicable, public servants must obey these stricter rules.

USING OR DISCLOSING CONFIDENTIAL INFORMATION FOR PRIVATE PURPOSES

Public servants are forbidden to disclose or use for personal gain any confidential information they have learned as a City employee. Confidential information is defined as any information unavailable to the general public.

Example: As a result of your work for the City, you learn that a City agency is developing a plan to rent office space in a certain building and that the plan has not been made public.

It would be a violation of Chapter 68 for you to give this advantageous information to a friend, relative, or anyone else in the real estate business, or in any business, since the information is confidential; it was learned on the job and it is unavailable to the public. And giving an unfair advantage to one party through such a disclosure certainly throws the integrity of the City agency out the window.

Example: You work at a social services agency. One of your friends suspects his neighbor of domestic abuse. He asks you to check confidential City databases to see if there are any complaints about the neighbor in order confirm his suspicion.

Even though this may seem harmless, it is a violation. Confidential information can only be used for official City work. It cannot be disclosed to anyone else, no matter how they wish to use it.

MISUSING ONE'S CITY JOB FOR PRIVATE ADVANTAGE

Chapter 68 forbids using one's City position for private or personal gain or advantage for oneself, one's close relatives, or one's business associates.

Example: Using your position as a Department of Health employee to obtain a favorable or speedy inspection for your brother's restaurant is a violation of the Conflicts of Interest Law.

Example: If you have a personal tax problem, you cannot write a letter about it to the Department of Finance on your City letterhead.

Writing a letter on City agency letterhead for any personal reason is strictly forbidden, especially if you are sending the letter to another City agency.

As a general rule the City Charter prohibits the use of City letterhead, personnel, equipment, resources, or supplies for any non-City purpose.

THE ACCEPTABLE USE POLICY

Having said that, many agencies have adopted an "Acceptable Use Policy" that lays out some guidelines for acceptable "incidental personal use" of some City resources. Under this policy, local personal calls may be acceptable, as long as they are of an incidental nature and don't interfere with your job performance. The same goes with many other elements of office technology.

Example: An **occasional**, **short** call to one's mom in Brooklyn would be seen by the Board as an "incidental personal use" of City time and resources, and therefore acceptable.

That same call to one's mom in Australia, using City long distance, would not, however, be acceptable, no matter how occasional or short. (Except, of course, if

your agency has a program which allows reimbursement of personal calls using City long distance, and you participate in that program.)

Not all agencies have adopted this "Acceptable Use Policy," so it's advisable to check with your agency counsel what your specific policy on incidental use of office technology and resources is.

UNACCEPTABLE PERSONAL USE

There are certain types of use of City resources, however, that will always be unacceptable and may result in agency disciplinary action or in prosecution by the Conflicts of Interest Board. This is particularly true if the improper use was for a private business purpose or for a political purpose, but there are other uses of City resources that clearly fall outside of the "Acceptable Use Policy," too: *sending hate speech on a City computer is an example*. The unauthorized use of valuable items from your agency may even result in criminal prosecution.

Lastly, just to repeat: be aware that many agencies have stricter conflicts-related rules in many areas, including the use of City property for non-City purposes, than the general conditions this booklet has discussed. Public servants are bound to obey the stricter rules, so check with your agency counsel for your official policy.

RECEIVING INCOME FROM SECOND JOBS, YOUR OWN BUSINESS, AND INVESTMENTS

Many City employees seek to supplement their City salaries through moonlighting, outside businesses, or investments. Generally, such activities are permissible, but you must be certain that outside sources of income do not cause a conflict of interest with your City job.

MOONLIGHTING

Anyone working 20 hours or more per week for the City needs permission in order to work for a person or company that has business dealings with *any* City agency. This includes any firm (including a private university) that receives funding from the City, any firm that contracts to sell goods or services to the City, or any firm that is licensed by a City agency.

To work for a company that has business dealings with a City agency, you need to obtain written approval for the job from your **agency head** and a **waiver** from the Conflicts of Interest Board. Further, it is **your** responsibility to find out if the firm has business dealings with the City.

Some things you can do to find out if your outside employer has business dealings with the City:

a) ask the entity's accounting or financial people;
b) ask one of the accounting or personnel people at your agency to run a search of City contracts; or
c) call the staff at the Conflicts of Interest Board.

Whoa! Don't all restaurants, bars, and "mom & pop" stores get licensed by the City? Do you need a waiver for that?

The answer to this is that, usually, just being licensed by the Health Dept. or the Dept. of Consumer Affairs is considered a "*pro forma*" matter and does not connote "business dealings with the City," unlike selling things to, or receiving grants from City agencies, which clearly does. This doesn't mean that if the bar you work at gets into trouble with the Health Dept. you should be the one to represent the bar before the City. Quite the contrary.

If you work for the City **fewer** than 20 hours per week, then you may work for a company that has business dealings with the City, but not for a firm that does business with **your** City agency. If the firm does business with your own agency, you may not take a position at that firm unless you obtain the written approval of **your agency head** *and* a **waiver** from the Conflicts of Interest Board. This rule applies to all part-time public servants, whether or not they are paid, including Community Board members. It does not apply to unpaid members of advisory committees, such as an *ad hoc* committee of citizens set up by the Borough President to give their views on a zoning proposal.

CHECKLIST: When working for a private employer, or for their OWN outside business ventures, public servants

- may not use their City position to obtain any advantage for that employer or outside business;
- may not use City letterhead, personnel, equipment, resources, or supplies for a private employer, or their own private businesses;
- may not conduct any business for the employer, or their own private businesses, on City time;
- may not use or disclose any confidential City information to help a private employer, or their own private businesses;
- may not work for a private employer, or their own private businesses, on any matter that is before **any** City agency, without getting a waiver from the Conflicts of Interest Board;
- may not appear as an attorney against the interests of the City in any case where the City is a party or a complainant without getting a waiver from the Conflicts of Interest Board; and
- may not be paid as an expert against the interests of the City, without getting a waiver from the Conflicts of Interest Board.

If you work for the City **less** than 20 hours per week, the last three restrictions apply only with respect to **your own** City agency.

Example: If you work for the Human Resources Administration 15 hours per week, you may work for a private employer on a matter before the Sanitation Department.

That is, provided that you comply with the other requirements discussed above and with any requirements that HRA has for outside employment.

In all cases you need to be careful to avoid any appearance that you are using your City job to help your private employer. This would certainly include helping your private employer in any matters that involve your City agency.

Outside Professional Practices

If you work as an attorney, agent, broker, or consultant to a firm, then you are regarded as having a position with that firm.

Example: If you are a full-time employee with the Fire Department and are also a licensed real estate broker, you may not act as a broker for any person or firm which does business with the City without a waiver from the Conflicts of Interest Board.

Temping Agencies

There are also special rules for City employees who moonlight through private temporary employment agencies, especially if the temp agency you work for does business with City, **or if the company you are assigned to by the temp agency does.** You should call the Board for advice in these situations.

OUTSIDE BUSINESSES AND INVESTMENTS

There are restrictions on public servants having an *ownership interest* in a company that has business dealings with the City. These restrictions also apply to an ownership interest that your spouse, registered domestic partner, or unemancipated child has in a company that does business with the City. (Your child is unemancipated if he or she is under 18, unmarried, and living in your home.) What defines an *ownership interest*? See the checklist below:

CHECKLIST: You have an ownership interest in a firm if your interest is:

- More than 5% of the firm; or
- Worth more than $48,000; or
- More than 5% of the firm's debt (such as bonds); or
- More than $48,000 of the firm's debt.

However, even if your interest is less than these amounts, if you or your spouse or registered domestic partner or unemancipated child *runs* the business (that is, you or they have a "managing interest"), you are still considered to have an ownership

interest in the firm.

Example: If you work for the Department of Sanitation 20 or more hours per week and your wife is a partner owning 20% of a stationery supplier that sells stationery to the Department of Citywide Administrative Services, then you have a prohibited ownership interest.

That leaves you with two choices: either your wife's firm must stop selling stationery to the City or you must disclose the ownership interest to the Conflicts of Interest Board and ask for an order from the Board permitting your interest. (It is likely that the Board would permit the above interest, with some restrictions, but permission **must** be sought.)

If you work less than 20 hours per week for the City, then you, your spouse (or registered domestic partner) and your unemancipated children are allowed to have an ownership interest in a firm that does business with any City agency except **your own** City agency.

Example: If you work two days a week for the Department of Sanitation, you may own a business that deals with the Department of Consumer Affairs but not a business that deals with the Department of Sanitation.

Ownership interest does **not** include an interest in a pension plan, deferred compensation plan, or mutual fund if neither you nor your spouse (or registered domestic partner) nor your unemancipated child controls the investments made by the plan or fund. Likewise, interests held in qualified blind trusts are not considered to be prohibited ownership interests.

SUPERIORS AND SUBORDINATES

All public servants are prohibited from having a business or financial relationship with a superior or a subordinate.

Example: If you own an apartment, you may not sublet it to someone you supervise.

Example: If you do outside carpentry work, you may not do a private job for your boss, not even for free.

"Does this mean I can't loan my boss or my subordinate $5 for lunch?"

No, although you could imagine even this becoming a problem. If, for example, your boss borrows $5 from you every day and never pays you back, that might not be a prohibited financial relationship under the law, but it certainly is a case of the boss misusing City position to get a personal benefit.

Example: You also may not share an apartment with a superior or subordinate, since splitting the rent would involve a financial relationship.

Example: You cannot borrow $1000 from any subordinate, nor can you loan any subordinate money, nor can any superior of yours lend money to or borrow money from you.

All of these situations are potentially coercive and, even if they are not, will throw a supervisor's ability to give fair & impartial evaluations and job assignments into question.

GIFTS BETWEEN CITY WORKERS

"We know that we can't accept valuable gifts from vendors, but are we allowed to buy gifts for other city workers?"

The 'Valuable Gifts Rule' only applies to gifts given by someone who does (or seeks to do) business with the City to a public servant. It does not apply to gifts between two public servants.

"...and if I can't have a financial relationship with my superior or subordinate, does that mean I can't give them any gifts?"

There are restrictions on gift-giving between superiors and subordinates. Let's look at them one at a time:

1) **Subordinate to Superior**:
   Here, the subordinate gives a nice (let's say worth $75) gift to his boss for her birthday. Aside from looking like a suck-up to everyone else in the office (not a crime in and of itself), this does not pose a problem for the subordinate.

However, the superior should NOT accept such a gift. A public servant is not supposed to use his/her position (or appear to use it) to gain a private financial benefit for himself or an associate. When she accepts the $75 gift from her subordinate (whose terms & conditions of employment she can affect), this is exactly what happens. What can the boss accept in such a case? Something of no substantial value: a coffee mug, a card, etc.

2) **Subordinate to Superior – Significant Life Event:**
Here, the facts are the same as above, except the $75 gift is given from the subordinate to the superior in recognition of a "significant life event," such as a wedding, or a baby shower, where gifts are traditionally given. For this to be OK, it has to be apparent that the event is sole reason for the giving of the gift and the value of the gift must be no greater than what is customarily given on such an occasion. By the way, while the birth of a child is certainly a significant life event, your yearly birthday celebration clearly is not.

HOLIDAY PARTIES, BIRTHDAYS, AND THE LIKE

There is no outright prohibition on office parties where the participants are all public servants, even if the party is to honor the boss' birthday. Having said that, there are probably better and worse ways to handle the organization of such events. These aren't really hard rules, but they are good things to keep in mind:

1) Participation really should be optional, and that should be communicated in the invitations.
2) To that end, it's best to have someone other than the boss organize the party.
3) Participation in the party should not be unreasonably expensive. Sometimes the cost for participation is metered on a sliding scale, to reflect differences in salary.
4) If there is a card for a particular honoree, everyone should be allowed to sign it, regardless of whether they contributed to any gift.

3) **Superior to subordinate**:
Here, the superior gives the $75 gift to the subordinate. Do we still have the same problem with misuse or appearance of misuse of position? No. The subordinate cannot affect the terms & conditions of employment of her superior. There may be any number of managerial questions about "best practices" that come into play here, however, even if there is no clear violation of Chapter 68. At a certain point, if the gifts from the superior to a subordinate start to get fairly regular and extravagant, people may begin to wonder what kind of silence the superior is attempting to buy…

4) **Between two public servants who do not have a supervisory relationship between one another**:
   Because neither person is in a position to affect the terms and conditions of employment of the other, gifts of any kind would be permissible under the Conflicts of Interest Law.

SOU-SOUS

Sou-sous, or savings clubs, absolutely connote a financial relationship between the parties involved. This means that it is impermissible for any superior to participate in a sou-sou with any subordinate. Under the Conflicts of Interest Law, public servants who are not in a superior/subordinate relationship may participate in a sou-sou together, but be sure to check with your agency counsel before you do so, as some agencies prohibit any financial activity between co-workers in the workplace.

GIRL SCOUT COOKIES, FUNDRAISERS, BOOSTER BARS, AVON

This is one tiny potential exception to the restriction on financial relationships between superiors and subordinates, but it only works when the subordinate sells and the superior buys, not the other way around. Also, the amount the superior can buy is limited to $25. The reasoning here is that the superior is less vulnerable to coercion than a subordinate and is therefore free to either buy or not buy, as s/he prefers.

HOWEVER: if you are interested in selling Avon, or Girl Scout cookies, or other similar things at work, please check with your supervisor or your agency counsel, as some agencies have prohibited ANY financial activities in the workplace regardless of their nature. And also remember the Acceptable Use Policy: if it is OK with your agency to sell these kinds of things, it should only be done at times when you are not required to do your City job.

VOLUNTEERING FOR NOT-FOR-PROFIT ORGANIZATIONS

Volunteer work by City employees with not-for-profit organizations, such as charitable or religious groups, ordinarily creates no conflict of interest. (On the other hand, *paid* work with a not-for-profit organization is treated the same as any outside

paid work—see "*Receiving Income from Second Jobs, Your Own Business, and Investments*," above.)

If, however, you are involved with a not-for-profit organization that does business with the City or is interested in doing business with the City, you must be careful. You can still volunteer (on your own time, of course) for the not-for-profit organization, *but:*

- You can't take part in the organization's business dealings with the City;
- You can't be paid for this volunteer work;
- Your volunteer work for the organization has to be done on your own time, not on City time;
- And you can't use City equipment, resources, or supplies for this work, beyond what's allowed in the Acceptable Use Policy (*see page 13.)* In some limited instances you may be able to get your agency head's approval to do volunteer work on City time and/or using City resources, if your agency sees such activities to be in the agency's interest—check with your agency counsel if you're interested in exploring this.

The following are several examples of different kinds of volunteering and the restrictions they may or may not carry.

1) *You are a staff analyst at the Department for the Aging. You also voluntarily serve on the board of directors of a not-for-profit that receives a grant from the Department of Homeless Services. The not-for-profit has no dealings or contact whatsoever with your own agency.*

Extra caution should be taken on your part when you serve on the board of a not-for-profit that receives City funding. Anytime this board talks about **anything** having to do with **any** City agency (funding, programs, a lawsuit against the City, or anything else), you have to **recuse** yourself from participating in any of these discussions. To be on the safe side, you should leave the room. You don't need to get permission from anyone to serve on this board, but conversations about City-related matters will come up on this board, and you will have to recuse yourself from all of them. You cannot even receive documents relating to the not-for-profit's City business. You also can't represent the not-for-profit in any of its City-related matters, so when the not-for-profit meets with City officials to discuss the renewal of City grants, or anything else, you can't attend those meetings.

If you wanted to partake in the not-for-profit's City-related matters, you'd need permission from the head of your agency **and** a waiver from the COIB.

2) *You volunteer for the same not-for-profit, serving on its board, as in number* ***(1)*** *above, but in this scenario, the organization also gets a grant from your agency, the Department for the Aging.*

In this situation, recusal is not enough. For this case, if you want to continue to serve on this organization's board, you will need agency-head permission. Furthermore, if permission is granted, all of the requirements for recusal in the first example above would still be in effect. If you wanted to partake in matters between this organization and your agency, or **any** City agency, you'd need a waiver from the COIB in addition to agency-head permission.

The volunteering rule is less strict if you do not have any policymaking or administrative responsibility at the not-for-profit organization and do not deal with the organization in your City job. In that event, you do not have to get your agency head's approval to do your volunteer work, even if the organization does business with your agency. For example, if you volunteer to read to children for a literacy project that does business with your City agency (and all you do is read to children), you do not need to obtain your agency head's permission because this volunteer work does not involve any policymaking or administrative responsibility. All of the other rules discussed above apply, however.

ENGAGING IN POLITICAL ACTIVITY

City employees may be involved in most political activities, such as contributing money to a candidate for office or working on a political campaign. But there are certain guidelines you must follow.

Misuse of Position/Resources

Public servants may never use their City positions or any City resources to help a political candidate or a political campaign.

Example: You may not send out a fundraising letter on City letterhead or use a City telephone to make calls on behalf of a candidate or photocopy a campaign flier on a City photocopier.

Coercion/Perceived Coercion

Public servants may not coerce anyone to engage in a political action, nor may they **request** a subordinate to work on a political campaign or contribute to a candidate or party. (Requesting a subordinate to do something political can be easily mistaken as an implied order.)

Buying Office

Public servants and potential public servants are forbidden from buying a City position or promotion with a political contribution. In fact, they can't give or promise anything to anyone in order to be nominated for office or to obtain a City position. And no one can ask you to do so, either.

Fundraising by High-Level Appointees

Some higher level City servants may not request **anyone** to make a political contribution to any candidate for a City office or to any City elected official who is running for any office. Such higher level City servants are also prohibited from holding certain political party positions.

Paid Work for a Local Political Campaign

Having a paid position with a local political campaign is treated much like any other outside employment you might have, with one big exception.

Like any other outside job, if you work on a local campaign for elective office, you are not permitted to:

- use your City position to obtain any advantage for that campaign;
- use City letterhead, personnel, equipment, resources, or supplies for the campaign;
- conduct any business for the campaign on City time;
- use or disclose any confidential City information to help the campaign; or
- work for the campaign on any matter that is before **any** City agency, unless you get a waiver from the Conflicts of Interest Board.

However, there is one crucial difference between moonlighting for a local campaign and any other kind of moonlighting: even though local campaigns **do** have matters before City agencies (such as the Campaign Finance Board and the Board of Elections) you do **not** need a waiver from the Conflicts of Interest Board. You may still need to get permission from your agency to take the job, if your agency has such a requirement (again, check with your agency's general counsel), but the Board has made it clear that it would not violate Chapter 68 to have a paid position with a local

campaign, as long as all of the above restrictions are followed.

Also, employees of certain campaign-related agencies, like the Board of Elections and the Campaign Finance Board, may have stricter rules regarding political activity, paid or not. Employees of those agencies should consult their agency counsel before partaking in political activities.

Running for Office

Certain public servants running for office may face certain restrictions which require them to take a leave of absence if running for office. Employees whose lines are entirely funded by the federal government may have to resign altogether before running for partisan political office. If you're thinking of running for office, you may wish to call the Board and see if any of these restrictions apply to you.

LEAVING CITY SERVICE (POST-EMPLOYMENT RESTRICTIONS)

SEEKING A JOB

As a City employee, you may often deal with companies in the private sector. If you are thinking about leaving City service, you may want to contact some of the firms you deal with to talk about the possibility of going to work for them. But **stop**! This kind of networking is prohibited. Alternatively, a private firm with which you have some official business dealings may let you know about a job opening in that firm for someone with your City experience. Exploring these possibilities, a common practice in the private sector, could present a conflict of interest for a City employee. To any outside observer, trying to get a job with a company that you're dealing with in your City capacity can raise serious questions about your integrity.

Before you talk to a company, say, XYZ Development Corp., about a possible job, you must make sure that you do not currently have any business dealings with XYZ in your City job.

Example: If you are reviewing a permit application that XYZ has submitted to your agency, you may not discuss a job with XYZ **until** either (1) your work on the permit application is completed, or (2) your supervisor has, at your request, assigned your duties concerning XYZ to someone else in your unit.

AFTER YOU LEAVE

Once you leave City service and take a job at XYZ Development Corp., you still have to comply with three restrictions in the Conflicts of Interest Law:

(1) You may **never** work for XYZ on any specific matter on which **you personally worked** on in **a substantial way** as a City employee. This restriction is called the **lifetime bar**. Generally it is interpreted narrowly, but you should contact the Conflicts of Interest Board or your agency counsel to see if your involvement in a specific matter was personal and substantial.

(2) For one year after you leave City service, you may not contact anyone in your former City agency on behalf of XYZ. This is called the **one-year ban.** This includes meetings, telephone calls, and letters. But you may work on a job that involves your former City agency so long as you do not work on any assignment you had as a City employee and you do not contact your former agency within one year after you leave City service. The one-year period begins to run on the date on which you stop working for the City. **However, if you are "on leave" from your City position, you are still a City employee and subject to the restrictions of the Conflicts of Interest Law** that apply to current public servants.

(3) You may never disclose or use for private advantage any confidential City information learned through your City job. (Again, confidential information is information that is not available to the public.) Check with your agency counsel, or with the Conflicts of Interest Board, if you have a question about the confidentiality of certain information.

If you want to do any of the above—that is, contact your former agency for your private employer within one year, or work on the same matter that you were personally and substantially involved with, etc. —you'd need obtain the **approval** of your (former) **agency head** and a **waiver** from the Conflicts of Interest Board. **You should know that the Board does not often grant post-employment waivers. Call the Board for specific information and advice related to your post-employment situation.**

MOVING TO ANOTHER GOVERNMENT POSITION

The above restrictions apply to you if you go into business for yourself, or move to any kind of private employment. However, the post-employment restrictions do

not apply if you go to work for another government agency, whether federal, state, or local.

Because everyone's City employment history is different, you should ask your agency's general counsel or the Conflicts of Interest Board for help in answering your questions about whether a particular job offer in the private sector would create any problems under the post-employment rules. Getting this advice is especially important since it is possible, under some circumstances, that you may not be able to effectively work for a certain company without violating post-employment restrictions. If for example, a small private company only had business with your former agency and only had contracts that you were substantially involved with while at your agency, there might not be anything there for you to do, except work on matters you worked on for the City, which would be a violation. That's a pretty extreme example, but you'd want to be clear about what matters you can and can't work on, as former public servants have been fined thousands of dollars for violating these restrictions, and your new employer probably won't appreciate the bad press associated with such a violation, or the fact that any contract negotiated in violation of the Chapter 68 can be voided by the City.

WHAT CAN HAPPEN IF I VIOLATE CONFLICTS OF INTEREST RULES?

Violators of the City's conflicts of interest restrictions may face severe penalties, both from the Board and from their own respective agencies. Through an agency's disciplinary process, violators may be demoted or suspended for some period, or even fired. The Conflicts of Interest Board can impose a fine of up to $25,000 for each violation of the Conflicts of Interest Law and recommend to a violator's agency that s/he be disciplined or fired. In addition, the law contains a 'disgorgement' provision, under which the Board may require a person who profited from violating the Conflicts of Interest Law to pay all of the profits to the city. Such payment would be in addition to payment of any fine levied for the violation. A violation of the Conflicts of Interest Law is also a misdemeanor that the District Attorney's Office may prosecute. Upon such a conviction, a violator could be fined, sent to jail and lose his/her City job. The Conflicts of Interest Board may also void any contract or transaction that violates the Conflicts of Interest Law.

HOW TO REPORT CONFLICTS OF INTEREST VIOLATIONS

As City employees and residents, we all suffer when ethics laws are violated. To report a conflict of interest violation, call the Department of Investigation, 24 hours a day, at (212) 825-5959, or call the Inspector General of your agency, or call or write the Conflicts of Interest Board, 2 Lafayette Street, Suite 1010, NY, NY, 10007, (212) 442-1400. All complaints to the Conflicts of Interest Board are confidential.

WHISTLEBLOWER PROTECTION

City employees who file reports of possible ethical violations are protected by the Administrative Code of the City of New York, Section 12-113, commonly called the Whistleblower Statute. This law was designed to prevent retaliation in the form of any adverse personnel action by one City employee against another who reports corruption, criminal activity, a conflict of interest, gross mismanagement or abuse of authority by another city officer or employee, or by persons dealing with the city, **HOWEVER**, **whistleblower protection is NOT automatic**. In order to qualify, you have to have reported one of the above types of activity to the Department of Investigation, the Comptroller, the Public Advocate, or a Council Member. In other words, reporting a conflict of interest violation to your boss doesn't cut it. If you are interested in whistleblower protection, contact DOI with your complaint directly.

HOW CAN I OBTAIN INFORMATION ON THE CONFLICTS OF INTEREST LAW?

If you have questions regarding the Conflicts of Interest Law, call the Conflicts of Interest Board during business hours at (212) 442-1400 and ask to speak to the "Attorney of the Day." As far as the COIB is concerned, the only silly question about Chapter 68 is the one you should've asked, but didn't. While enforcement is a crucial component of what we do, we also place a heavy emphasis on trying to prevent conflicts from occurring. We do this by giving public servants free legal advice on conflicts-related questions. You may call anonymously, and all calls are, with limited exceptions, confidential. You may also write or fax the Board at 2

Lafayette Street, Suite 1010, New York, NY 10007; FAX: (212) 437-0705.

The Board has created numerous publications addressing various aspects of the Conflicts of Interest Law. These publications include leaflets, outlines, articles, newsletters, videos, and posters. The Board also makes available copies of Chapter 68, the Board's Rules, the Annual Disclosure Law, the Board's advisory opinions and enforcement dispositions, and selections from the COIB's current monograph.

You may request publications by fax or by phone, or you can download them yourself from the Board's Web Site at: www.nyc.gov/ethics. There, you will find information about the Conflicts of Interest Law, about our agency and its mission, FAQs on selected topics, a complete and updated list of all the Board's publications, which can be downloaded in PDF format, as well as interactive exercises, videos, links to related government ethics sites, and (courtesy of the New York Law School) a link to a searchable index of all of the COIB's advisory opinions and enforcement dispositions.

ADVICE LETTERS AND WAIVERS

Sometimes you may wish to have advice about your conflicts of interest situation in writing. Requests for written advice from the Board must be made in writing. In making your written request, your letter should contain the following information:

- who you are and where you work,
- your official City job title,
- your responsibilities,
- your question,
- your address where you want the Board's answer sent and a daytime telephone. (If you do not want to be called at work, say so in your letter and give another telephone number or an e-mail address where Board staff can contact you.)

Example: If you are seeking advice about taking a second job, first tell the Conflicts of Interest Board who you are, including your City job title and duties, and then describe the job you want to take. The description should include the name of the company, the position and the duties you will have, the person for whom you will work, whether or not you will be paid and, if so, how much, the days and hours you will work, how long the job will last, if it is temporary, and whether or not the company does business with the City.

That last piece of information in the preceding paragraph is crucial. If the company does ANY kind of business with the City, you're going to need written permission from your agency head and a written waiver from the Conflicts of Interest Board in order to take that particular job. (A full-time City employee who works for a company that does business with the City without a waiver is in violation of Chapter 68.) The waiver, if granted, will basically allow you to have that job, even though technically it would be a violation. Waivers are given on a case-by-case basis.

Example: If you are a full-time City employee who wishes to work part-time as an electrician with a company that does business with the City, you would need a waiver from the Board.

Is it likely that you'd get a waiver from the Board? A lot depends on your duties in your City job, but if the Board feels there is no real conflict between your City job and your private job, then, yes, it is likely. However, under the law, the Board cannot grant a waiver unless the City employee's own agency head **first** approves the request. Therefore, before coming to the Board for the waiver, you will need to obtain approval from your agency head (not just your direct supervisor).

For information on how to obtain agency head approval required for a waiver, speak with your agency's general counsel, or call the Conflicts of Interest Board at (212) 442-1400.

The more complete the information in your written request, the quicker the Board can return a written opinion or waiver. Turnaround time is generally fast.

CONFIDENTIALITY

Conflicts of interest issues can get pretty contentious. For this and other reasons, the Board is subject to a very strict confidentiality law. Board staff will not ordinarily tell anyone – not even your agency - about your request for advice. In fact, you can call the Board anonymously. Your written request and the Board's response are also confidential, with the exception of waivers and orders. As discussed above, the Board **cannot** grant a waiver without written approval from your agency, so your agency will have to be involved with your waiver request, should you end up needing one. The Board also requires agency approval for an order. By law, all waivers and some orders are available to the public, but your *request* for the order or waiver remains confidential, unless you waive your right to

confidentiality. If you have any concern about confidentiality, call the Board.

Example: Suppose you call the Board to ask whether you can moonlight for a certain firm and a Board attorney tells you that you will need a waiver.

You may decide you'd prefer not to take the job so that you do not have to seek approval from your agency. You can do that and ordinarily no one will ever know that you called for advice, except you and the Board.

There is, however, one big warning about confidentiality and legal advice: advice can only be given about **proposed future activities.** In other words, if you call for advice and identify that you have already have violated the law, the Board may share your information with the appropriate law enforcement authorities.

REQUESTING TRAINING FOR YOUR AGENCY

Conflicts of interest can occur at every level of City government. One of the most effective ways to avoid them in your agency is to get your staff trained. In addition, the City Charter requires City agencies to train all of their employees on the Conflicts of Interest Law every two years. The Board maintains a Training & Education Unit that provides in-depth and entertaining training sessions on an almost daily basis. If your agency is interested in scheduling a training session covering the basics of the conflicts of interest rules, ask for the Director of Training and Education of the Conflicts of Interest Board at (212) 437-0770. We will be happy to send a professional to your agency at a time that is convenient for your staff and provide as many interactive training sessions as you need.

TEST YOUR KNOWLEDGE OF THE CONFLICTS OF INTEREST LAW

Below you will find 10 questions on the laws covered in this booklet. Answer them with either a **yes** (the activity is permitted) or a **no** (it is not permitted), then check your answers against the key provided on page 35 of this booklet.

Your score will tell you how clear your understanding of the material is. If you receive a low score, you might want to spot-read the sections of the booklet again, addressing the topics you missed. The answers can be found on the page that immediately follows the "Quick Reference" listing.

1. **You want to work in your spare time for a firm that business with the City, but not with your agency. Can you accept the job?**

2. **A firm you do business with in your City job sends you two tickets to the NBA playoffs at Madison Square Garden as a holiday present. Can you accept them?**

3. **You leave your City job to accept a position with a state agency where you will work on the same project that you worked on for the City. Is this all right?**

4. **You are soon to be married (congratulations!). You will, of course, invite old friends who work for various firms that do business with the City. Can you accept gifts from them?**

5. **You would like a second job and want to send your resume in response to an ad. Is that a problem?**

6. **You want to volunteer to work for a political campaign. Is that ok?**

7. **Your new job in the private sector suddenly requires that you work on a project you worked on when you were a City employee. Is this activity permitted?**

8. **Your City agency often deals with a not-for-profit organization for which you want to volunteer as a member of the board of directors. Can you volunteer?**

9. **Because of your City position, you have learned potentially valuable information regarding real estate investments in the City. It hasn't been released to the public yet. You would like to pass the information to your spouse, who owns a real estate business. Can you?**

10. **You have an important letter to write, endorsing a person for political office whom you highly esteem. Can you use City letterhead to write the letter?**

QUICK REFERENCE

Below, you will find a list of the provisions of the conflicts of interest law we have discussed in plain language in this booklet. Section and paragraph numbers refer to the Conflicts of Interest Law, set forth in Chapter 68 of the New York City Charter, and the Board's rules, found in Title 53 of the Rules of the City of New York.

For more information regarding the Conflicts of Interest Law, and for a listing of our publications, which focuses on specific topics such as "Moonlighting" and "Post-Employment Restrictions," see the Board's website at: www.nyc.gov/ethics

Who is covered?

See City Charter Section 2601, especially subdivision (19), "public servant."

Accepting gifts, favors, entertainment, meals, tips, and travel

See City Charter Sections 2604 (b) (5) and (13); Conflicts of Interest Board Rules Section 1-01, entitled "Valuable Gifts."

Using or disclosing confidential information for private purposes

See City Charter Section 2604 (b) (4) and (d) (5).

Misusing one's City job for private advantage

See City Charter Section 2604 (b) (2) and (3); Conflicts of Interest Board Rules Section 1-13.

Receiving outside income from second jobs, your own business, and investments

See City Charter Section 2604 (a), (b) (1) through (3), (6) through (8), and (14); Conflicts of Interest Board Rules Sections 1-04 through 1-06, 1-09, and 1-11. See City Charter Section 2601 for definitions of "ownership interest," "firm," "position," "business dealings with the City," and other relevant terms.

Volunteering for not-for-profit organizations

See City Charter Section 2604 (b) (2) and (3) and (c) (6); Conflicts of Interest Board Rules Section 1-13.

Engaging in political activity

See City Charter Section 2604 (b) (9) through (12) and (15); Conflicts of Interest Board Rules Sections 1-02 and 1-03.

Leaving City service (post-employment restrictions)

See City Charter Section 2604 (d); Conflicts of Interest Board Rules Sections 1-07 and 1-12.

Obtaining orders and waivers

See City Charter Sections 2604 (a) (3) and (4) and (e).

Whistleblower Protection

See New York City Administrative Code Section 12-113.

What can happen if you violate City conflicts of interest rules?

See City Charter Section 2606; Conflict of Interest Board Rules Sections 2-01 through 2-05.

ANSWERS TO THE QUIZ ON PAGE 32

1. If you are a part-time City employee, the answer is "Yes." If you are a full-time City employee, then the answer is "No," unless you receive approval from your agency and a waiver from the Board.

2. No. The Board has established $49.99 as the cut-off on the value of anything that a City employee may accept as a gift from a firm doing business with the City. Since the tickets in all likelihood are worth $50 or more, you cannot accept them.

3. You may work on the same matters and appear before your former City agency, as your new employer is a government entity, making you subject to the "government-to-government" exception to the post-employment rules. You do not need a waiver from the Conflicts of Interest Board or approval from your former agency head.

4. It is generally OK to accept customary gifts for social occasions, such as weddings, from individuals who are old friends who are also doing business with the City. However, the gift must be reasonable, and the

main reason for the gift must be your friendship with the person. Remember, also: there are no new best friends! This friend has to be someone you became friends with outside of (and predating) the context of your official City duties.

5. Sending your resume in response to an ad is generally OK. You must conduct the job search on your own time, and you may not use City letterhead or in any way use your City position to gain advantage. One exception: you must check with the Conflicts of Interest Board before even thinking of seeking a position with a firm which you deal with in your City job, even if you are only responding to that firm's ad.

6. Yes. Being a public servant generally does not limit your right to engage in political activity. However, you must perform all of your political activities on your own time and you may not coerce anyone, or even ask a subordinate, to contribute to do anything related to the campaign.

7. No, if you personally worked on the specific project other than in a minor way for the City. There is a lifetime ban on your working on the same particular project for anyone else, except another government agency.

8. No. You must get prior approval, **in writing**, from your agency head saying that your volunteer work promotes the interests of the City. If you also want to be involved with the organization's dealings with the City, then you must also get a waiver from the Conflicts of Interest Board. If, however, you are not on the board of directors, and you do not have any policymaking or administrative responsibility at the not-for-profit organization (*e.g.*, you volunteer to distribute food in a food pantry that has a contract with your agency), you do not need the approval of your agency head to do your volunteer work.

9. No. You may not use your City position to get an advantage for yourself, a relative, or someone with whom you have a business or a financial relationship, nor may you in any way disclose confidential City information.

10. No. You must not use City letterhead, supplies, equipment, or personnel in non-City matters.

FOR YOUR INFORMATION

All the Board's publications are available on the Board's web site at: www.nyc.gov/ethics

Also, if you want to receive any of the materials listed below, you can call:

(212) 442-1400 or fax (212) 437-0705

PUBLICATIONS

Chapter 68 of the New York City Charter. The Board's "Blue Book."

Rules of the Board. The Board's "Red Book."

Annual Disclosure: Section 12-110 of the NYC Administration Code. The Board's "Green Book."

The Acceptable Use Policy.
The policy regarding acceptable incidental personal use of City office and technology resources.

Conflicts of Interest Plain Language Guide.
An Employee's Guide to New York City's Ethics Law, with the Answers to Many Frequently Asked Questions. The Board's "Orange Book."

International Visitors' Manual.
Explains the basis, structure, and administration of Conflicts of Interest (Government Ethics) Laws and Annual Financial Disclosure (Asset Declaration) Laws. Also included is an article on establishing and maintaining values-based conflicts of interest compliance systems.

Annual Reports of the Conflicts of Interest Board.
Year-end summaries of activities, budget, staff, etc.; cumulative index to advisory opinions. (Available: 1990 – 2015)

OTHER MATERIALS

<u>Outlines of Selected Topics</u> (taken from our current monograph)
A breakdown of the law, citing Charter sections, rules, and official opinions regarding the major provisions of the Conflicts of Interest Law. Topics covered:

- **Community Boards**
- **Enforcement**
- **Financial Disclosure**
- **Gifts and Honoraria**
- **Misuse of City Property**
- **Outside Activities**
- **Ownership Interests**
- **Political Activities**
- **Post-Employment Restrictions**

<u>Advisory Opinions of the Conflicts of Interest Board</u>:
Official answers from the Board to request for opinions regarding possible conflicts of interest.

<u>Enforcement Dispositions</u>:
All published enforcement dispositions.

<u>Enforcement Case Summaries and Enforcement Fines</u>:
Summaries of each published enforcement disposition and a table of all Board fines from published enforcement dispositions.

<u>The Ethical Times</u>:
The Board's newsletter. Download back copies or become a subscriber.

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FAQ LEAFLETS

An Introduction
Answers to some commonly asked general questions about the Conflicts of Interest law.

Administration for Children's Services Employees

Community Boards
Frequently asked questions about how the law applies to Community Board members.

Dept of Education: Community Education Councils
Even unpaid members of the local CECs are subject to the Conflicts of Interest Law. Find out what you need to know.

Dept of Education: Teachers

Enforcement
Find out about the Board's enforcement program and procedures.

Ethics Issues in Doing Business with the City of New York
Important information for firms who do business or are interested in doing business with the City.

Financial Disclosure Reports

Financial Relationships between Co-Workers
Answers to the often asked questions regarding office parties, savings clubs, Girl Scout cookies, and more.

Fire Department: Heads-Up for FDNY Employees

Gifts and Honoraria
Details the restrictions on accepting gifts. If you deal with any vendors doing business with the City, this information will be especially important.

Human Resources Administration Employees

Job Hunting

Misuse of City Resources
Explains the rules about using City equipment, personnel, time, and other resources for non-City purposes.

Moonlighting
Important information for public servants who wish to take a second job.

NYC's Annual Disclosure Law
A Guide to Section 12–110 of the NYC Administrative Code for all employees required to file Annual Disclosure Reports with the Conflicts of Interest Board.

Ownership of Real Property, Co-ops, and Condos
Frequently asked questions about how an employee can and cannot interact with the City on real estate and housing matters.

Plain Language Guide
Bullet points on major points of the law in both one and two-page formats.

Post-Employment Issues

Prohibited Appearances before City Agencies
Questions and answers on representing private interests before City agencies.

Practicing Law
Important conflicts of interest information for public servants who are attorneys and are interested in outside practice.

Rules on Political Activities
Being involved in political activities is generally OK, but this leaflet describes some legal pitfalls to avoid.

Rules on Volunteer Activities
What you should know about doing volunteer work for not–for–profit organizations.

Signposts: Are You Violating the City's Ethics Law?

Temping
What you should know if you are thinking of taking work with a temp agency to supplement your income.

What You Need to Know (Series)

- Waivers: The Ethics Rules
- Job Hunting: The Ethics Rules
- Political Activities: The Ethics Rules

POSTER

"Would you trust this guy?" Poster with cartoon graphic of City inspector assessing code violations on a homeowner's property while offering his private services to fix said violations. Approx. 14" x 22", with basic information, including the Board's phone number and website.

VIDEOS

It's All About Ethics: A lively infomercial format that takes a humorous approach to basic conflicts of interest questions.

It's a Question of Ethics: Short, dramatized scenarios of conflict situations with commentary by Board attorneys.

It's a Question of Ethics: The Game Show: Three City employees learn about the Conflicts of Interest Law by playing the Ethics Game, with expert commentary.

It's a Question of Ethics: The Board of Education Game Show: Three Board of Ed employees learn about how New York's Ethics law applies to them.

City Rap: A 2-minute PSA about Chapter 68 issues in contemporary verse, written by the Honorable MC Joan Salzman.

Ethics Express: a series of short videos shot in a talk-show format. Each episode examines a different aspect of Chapter 68.