



A PLAIN LANGUAGE GUIDE TO THE STATE ETHICS LAWS

What you need to know before starting your job

Public service is a public trust, requiring employees to place loyalty to the State Constitution, statutes, and ethical principles above private gain. The following legal restrictions in State law and principles of ethical conduct apply to New York State officers and employees:



Conflicts of Interest

You must avoid any action that conflicts, or appears to conflict, with the performance of your State duties, or which otherwise violates the law.

You must:

- not hold a financial interest that conflicts with the performance of your official duties.
- abstain from personal investments that conflict with your State duties, and avoid official transactions with any entity in which you have a direct or indirect financial interest.
- maintain independent judgment and act impartially in the performance of your State job.
- not use your public office for private gain or for the benefit of another, and you must avoid any action that could raise suspicion among the public that you are personally benefitting from your official position.
- avoid situations that may create an appearance that you could be improperly influenced in the performance of your State duties.
- not pursue personal or private activities on State time. You may not use State personnel, equipment, supplies, or other resources for a non-State purpose.

If you entered State service from the private sector, you may be required to recuse yourself – in the course of performing your State duties – from matters directly involving your former private sector employer for a two-year “cooling off” period.

Family Members

You must not participate in any decision to hire, promote, discipline or discharge a relative or someone in your household.

You must not award a State contract to a relative or invest public funds in any security in which a relative has a financial interest.

Financial Disclosure

If you have been designated as a policy maker, or earn an annual salary in excess of CSEA salary grade 24 and have not been exempted (individually or by title), you are required to file an annual Financial Disclosure Statement with JCOPE regarding the financial interests of you, your spouse, and your unemancipated children.

Gifts and Gratuities

You must not accept a gift from any person or entity under circumstances where it will reasonably appear that the gift is intended to influence you, or that it will influence you, in the performance of your State duties, or to reward you for official action already taken.

You must not solicit or accept any reward or compensation from a source other than your State employer for the performance of your State duties.



Limitations on Employment after State Service

For a period of two years after leaving State service, you must not advocate before your former agency, or provide compensated services related to a matter that is before your former agency.

You must never appear before any State agency, or provide other services, on a transaction in which you were directly concerned and personally participated, or which you actively considered, during your State service.

Contemplating Leaving State Service

If you receive a job offer from an entity or individual that has a specific matter pending before you in your State job, or if you wish to pursue a job opportunity with such an entity or individual, you must first wait 30 days from (i) the date the matter before you is closed; or (ii) the date on which you notified your supervisor and Ethics Officer of your intent to pursue the job and you recused yourself from the matter and any further contact with the entity or individual.



Outside Employment

You must not engage in outside employment or activities that conflict with your State duties.

Any outside employment must comply with your agency's policies and JCOPE's regulations, including any requirements for pre-approval of outside employment or activity.

You may not sell any goods or services worth over \$25.00 to any State agency, unless such goods or services are provided pursuant to a contract awarded after a public notice and competitive bidding.

You may not be paid to assist with a matter that is before any State agency, where your service would relate to: (i) the purchase, sale, rental, or lease of real property, or goods or services; (ii) any proceeding relating to rate making; (iii) the adoption or repeal of any rule or regulation having the force and effect of law; (iv) the obtaining of grants of money or loans; (v) licensing or permitting; or (vi) any proceeding relating to a franchise provided for in the Public Service Law.

Political Activity

You may not directly or indirectly ask a potential employee to disclose his or her political affiliation, campaign contribution activity, or voting record.

You may not use your official State position or State resources to coerce, intimidate, or otherwise influence others for any political purpose, action or contribution.

If you are designated as a policy maker, you may not serve as an officer, director, or board member of any party or political organization, or as a member, officer, director, board member, or district leader of any party committee.

Privacy and Confidentiality

You must not engage in financial transactions using nonpublic governmental information, or allow the improper use of such information to further any private interest.

You may not disclose or use confidential, nonpublic State information for any non-State purpose, even after you leave State service.

This document provides a general summary of the State's ethics laws. If you encounter a situation that you believe implicates the ethics laws, you are encouraged to contact your agency's Ethics Officer, or you may contact the Joint Commission on Public Ethics at legal@jcope.ny.gov or (800) 87-ETHICS (800-873-8442).

