

CHAPTER: **Employment**  
SUBJECT: Code of Ethics

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Approved: \_\_\_\_\_, Commissioner

The purpose of this policy is to establish and maintain high standards of honesty, integrity, and quality of performance for all employees of the Department of Motor Vehicles (DMV). Individuals in government service have positions of significant trust and responsibility that require them to adhere to the highest ethical standards. Standards that may be acceptable within other organizations are not necessarily acceptable for the DMV. Ethical conduct and the avoidance of even the appearance of impropriety are of critical importance in our relationships with all members of the public, other agencies and private contractors.

This ethics policy is intended to be a general guide in determining what conduct is prohibited so that it may be avoided. It is intended to supplement and not supersede the Code of Ethics for State Employees, and other, applicable provisions of the Connecticut General Statutes.

It is expected that all employees will comply with the guidelines contained in this policy. Violations of these guidelines and prohibitions may subject an employee to sanctions from agencies or systems external to this agency. Whether this occurs or not, the Department retains the right to independently review and respond administratively to any alleged violations by an employee.

The following represents the minimum expectations for compliance. In as much as it is not possible to write a policy to cover each and every business transaction, employees are encouraged to direct questions or concerns to their Supervisor, Manager, Human Resources Manager, the Chief Administrative Officer who is the Agency Ethics Liaison, or the Office of State Ethics.

A copy of this policy and any pertinent statutes will be provided to all employees, and will be posted throughout the agency. The topic of ethics will be incorporated within the orientation program for all new employees. Additionally, the DMV will provide a copy of this policy to all vendors, contractors, and other business entities doing business with the agency.

## **Prohibited Activities and Exclusions**

### ***Gifts, Discounts and Gratuities***

No employee or member of his/her immediate family shall either individually or as a member of a group, directly or indirectly, accept or solicit any gift, discount or gratuity from any person or organization that previously had, currently has, or is expected to have a business relationship with the DMV or anyone acting on behalf of such a person or organization. Gift, discount, or gratuity refers to any object or payment that is not offered to the public at large. This prohibition extends to the solicitation or receipt of gifts, discounts, or gratuities from any member of the public, including agency customers, lobbyists, business interests, and regulated entities as an inducement for influencing official action or judgement. Included among the items are luncheon and/or dinner payments, golfing fees, fees for social events, motor vehicle rebates and discounts, bottles of liquor and concert and sports tickets. This list should not be considered all-inclusive.

No employee or member of his/her immediate family may give/receive a gift costing one hundred dollars (\$100) or more, to/from a subordinate. No subordinate may give/receive such a gift.

An employee should avoid those situations that may result in his/her being found in a conflict of interest or which may give the appearance of a conflict of interest.

Employees may be permitted to visit the sites of vendors at the vendor's expense, whether in state or out of state, for educational purposes or specific technical training. However, the visits and their purposes must have been specified as part of a procurement and the resulting contract documentation. The employees in these situations must still receive prior travel authorization from all appropriate state officials. This action must occur even though there is no cost to the State.

All other official visits to vendor facilities by DMV employees must be at the State's expense, unless specifically approved by the Commissioner or his/her designee.

There are situations where the value of an object offered to the public at large is of little or no consequence and the action does not fall within the provisions of this Code of Ethics. Items such as pencils, ballpoint pens and similar items used as advertisement "give-aways" fall within this category.

As used herein, "gift" means anything of value directly and personally received including any discount, gratuity or other benefit, except:

- Admission to a charitable or civic event, including food and beverage provided at the event, at which the employee participates in his/her official capacity, if the amenities are provided by the primary sponsoring agency.
- Goods or services which are provided to the State to facilitate state action or functions for use on State property, or to support an event or the participation by a public official or State employee at an event (under some circumstances the gift must receive approval by the Office of State Ethics).

### ***Outside Employment, Business Interests and Confidentiality***

No employee shall allow personal business or obligations to take precedence over his/her responsibilities to the DMV. This prohibition is not intended to preclude an employee from responding to emergency situations. However, such situations should be the exception, rather than the norm. Supervisors are expected to use reasonable discretion in enforcing these provisions. Unless otherwise specified, an employee is not prohibited from engaging in outside employment so long as there is no actual or apparent conflict of interest.

Employees must, however, avoid any outside employment or other activity that interferes with his/her normal work time, or that affects the satisfactory performance of his/her state duties. Any outside employment or other activity that might discredit or reflect unfavorably on the employee or the DMV must be avoided. Employees are prohibited from performing work for any business licensed and regulated by the DMV. Employees must not engage in any outside employment, business or other activity that gives rise to a real or apparent conflict of interest. (An “apparent conflict of interest” arises whenever actions of an employee create the appearance to an objective and informed person, knowing all the relevant facts, that the employee is violating a provision of law or this policy).

Employees are prohibited from obtaining outside employment that will impair their independence of judgement or require or induce disclosure of confidential information gained in State employment. The question of what constitutes an impairment will be determined by the Office of State Ethics.

Employees are prohibited, during the course of performing their job responsibilities, from recommending or suggesting to any customer the purchase of any service or product from a specifically named repair facility, automobile dealership, or other business regulated by the DMV.

No employee shall seek or accept employment with, or compensation from any consultant, contractor, appraiser or any other organization or individual under contract or agreement with the DMV.

No employee, or member of his/her immediate family, or business with which he/she is associated, may enter into a personal services contract or other contract, other than a contract of employment as a state employee with the Department of Motor Vehicles valued at \$100 or more, unless the contract has been awarded through an open and public process.

An employee is prohibited from using his/her state office or position for financial gain for himself, his/her spouse, child, child’s spouse, parent, brother or sister or business with which he/she is associated.

Additionally, no employee shall have, directly or indirectly, a financial interest in any business, firm or enterprise doing business with the DMV that could cause a conflict of interest or influence the performance of the employee’s duties. The financial interest referred to in this provision is not

intended to apply to individuals who own less than five percent (5%) of the stock of a publicly owned corporation. The provisions of the State Code of Ethics must be strictly adhered to in this area.

Employees are prohibited from disclosing DMV file information to any individual, organization, or business entity that does not have a legitimate business or legal entitlement to such information, except as may be specifically required or authorized by the job duties of their position. Only those individuals, who have been so authorized, may disclose DMV file information. No employee shall disclose personal file information from DMV records except under the conditions permitted by Public Act 97-266, "An Act concerning compliance with the Federal Driver's Privacy Protection Act," and in a manner consistent with the Personal Data Act, as contained within Sections 4-190 to 4-197, inclusive, of the Connecticut General Statutes, and all other laws and regulations which concern access to personal data maintained by the Department.

### ***Personal Advertising, Solicitation and Sales***

An employee shall not solicit or canvass within the DMV for the sale of any goods, services or personal business without the expressed written approval of the Chief Administrative Officer. Such soliciting or canvassing, even with permission, shall not involve soliciting from subordinates, nor shall it be done on state time. This prohibition does not extend to charitable fund raising activities approved by the Commissioner such as the Connecticut State Employees Campaign for Charitable Giving or events sponsored by the Employee Recognition Committee.

An employee is not allowed to post or distribute advertising material for such purposes without the expressed written permission of the Chief Administrative Officer. An employee is not allowed to use his/her business address, telephone number, title or status in any way to promote, advertise or solicit personal business.

### ***Fees and Honorariums***

An employee may not accept a fee or honorarium for an article, appearance, speech, or for participation at an event when performed in his or her official capacity. *An employee is allowed to accept payment or reimbursement for necessary expenses for any such activity in his/her official capacity.* An employee need only report the payment or necessary expenses to the Office of State Ethics if the payment or reimbursement includes lodging, out-of-state travel, or both. "Necessary expenses" are limited to: necessary travel expenses, lodging for the nights before, of, and after the appearance, speech or event; meals; and any related conference or seminar registration fees.

The paramount issue to be considered is whether the activity in question is performed in the employee's "official capacity." As a general rule, if a state employee is asked to participate in an event, speak, appear, or write an article and the employee's official position or authority was a significant factor in the decision to extend the invitation, then it will be deemed to be in his/her official capacity.

If, however, a state employee has developed an expertise in a particular field and he/she is asked to participate in an event, speak, appear or write an article as a result of his/her knowledge and expertise, then the employee is not prohibited from accepting a fee or honorarium although the employee must use personal or vacation time if the event occurs during the work day. Note that these situations are very fact specific. Employees are encouraged to contact the Office of State Ethics, as necessary, for clarification and guidance.

### ***Political Activities***

Employees are not prohibited from seeking political office as long as it is not done on State time or using State equipment and supplies. However, any State employee who is elected to any state political office *may not* hold two government positions simultaneously. Therefore, any employee elected or appointed to State political office must resign or take a leave of absence from his/her position with the DMV. An employee holding municipal office is prohibited from engaging in political activity and/or in the performance of the duties of such office while on state duty or within any period of time during which that employee is expected to perform services for which that employee receives compensation from the State. Employees should consult with the Office of State Ethics prior to participating in a political campaign.

An employee seeking or holding office as permitted by Section 5-266a of the Connecticut General Statutes must notify the Division of Human Resources of this fact in writing.

No employee of the DMV may engage in partisan political activities while on state time. Additionally, no employee may use state materials, facilities or equipment for the purpose of participating in, or influencing a political campaign election for any public office.

Under some circumstances, employees may be covered by the provisions of the federal Hatch Act. In general, the law covers employees whose principal employment is in connection with an activity that is financed in whole or in part by loans or grants made by the United States or a Federal agency. The provisions of the Hatch Act continue to apply while the employee is on vacation leave, sick leave, leave without pay, and personal leave. An employee who is subject to the provisions of the Hatch Act ***may:***

- Run for public office in nonpartisan elections;
- Express his/her opinions on political subjects and candidates;
- Take an active part in political management and political campaigns; and,
- Be a candidate for and hold office in a political party or club.

An employee who is subject to the provisions of the Hatch Act ***may not:***

- Be a candidate for public office in a partisan election;
- Use his/her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office; or,
- Directly or indirectly coerce, attempt to coerce, command, or advise a state or local official or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

It is important to point out that *it is only the candidacy for office in a partisan election that is prohibited, not holding office*. Thus, if an employee holds an elective office when appointed to a position covered by the Hatch Act, the employee may continue to serve but may not be a candidate for reelection in a partisan election. Likewise, an employee may accept an appointment to fill a vacancy in an elective office while concurrently serving in a covered position. An employee holding or accepting office as provided above must notify the Division of Human Resources of this fact in writing.

### ***Transactions Involving Relatives, Friends and Acquaintances***

No DMV employee shall use his/her position or influence to gain employment for a relative, business partner, associate, client, etc. Relatives or others having special relationships with current employees are not prohibited from seeking employment with the DMV. However, no influence can be exerted to give the relative or person having a special relationship an advantage over others in the competitive selection process. Any such relationships must be disclosed during the competitive selection process and prior to any offer of employment being made. Relatives or others having special relationships with current employees may be considered for employment provided that the relative or other having a special relationship with a current employee would not be placed under the direct supervision of the employed relative or other person having a special relationship with a current employee, or in any position where the employed relative or other person having a special relationship with a current employee would be in a position to influence the salary, benefits, working conditions or other personnel transactions such as performance reviews or disciplinary transactions. *This policy shall not be interpreted to require the automatic transfer, reassignment, or other personnel change, when such relationship exists upon implementation of the policy.* The DMV reserves the right to take appropriate corrective action to remedy problems that may be created by such relationships.

Employees must be aware that signing certain documents may result in a violation of the State Code of Ethics if such actions would result in a financial benefit to a relative. Examples would be personnel forms, including performance appraisals, vouchers, reimbursement forms, contracts, and similar types of forms. Caution should be exercised, as a violation may occur even though unintentional.

Employees are prohibited from directly performing any transaction involving licensing, registering, inspection, document verification or validation for themselves, friends or relatives.

Employees may not use their employment status in an attempt to interfere with, or influence the outcome of any DMV proceedings involving the application of any state motor vehicle law as it may pertain to their own personal situation, the situation of friends or relatives, or as a favor to any person.

No DMV employee shall directly or indirectly, use, represent to use, promise or endeavor to use influence or official or political authority to secure for any person any appointment or prospect of appointment to any position within the classified service or to take any action contrary to any

provision of the Connecticut General Statutes and State Personnel rules and regulations with respect to the examination, appointment and promotion of agency personnel.

### ***Activities Upon Leaving State Service***

The State's ethics law and regulations prohibit state employees from performing certain activities upon leaving State service. Some of these prohibitions are limited to specific periods of time. Other prohibitions remain for the individual's lifetime. These situations are very case specific and employees should contact the Office of State Ethics for guidance. Former employees are prohibited from:

Disclosing or using confidential information, gained in State service, for the financial benefit of any person.

Representing anyone (other than the State) concerning any particular matter (1) in which he/she participated personally and substantially while in State service and (2) in which the State has a substantial interest.

For one year after leaving State service, representing anyone (other than the State) for compensation before the Agency in which he/she was employed at the time of leaving State service, concerning any matter in which the State has a substantial interest.

Accepting employment with a party (other than the State) to a contract in which he/she participated substantially, or supervised the negotiation or award of a State contract valued at \$50,000 or more. This prohibition exists for one year after resignation from State service if the resignation occurs within one year after the contract was signed.

### ***Other***

The use of state equipment, including telephones, computers, including e-mail, fax machines, and state vehicles for personal, non-work related purposes is prohibited. (Please refer to this agency's and the State's policies regarding the use of computers and related equipment.)

# Guide to the Code of Ethics for Public Officials and State Employees 2008

## INTRODUCTION

The Connecticut Office of State Ethics (OSE) is an independent regulatory agency for the State of Connecticut, charged with administering and enforcing Connecticut General Statutes, Chapter 10, Part I and Part II, with limited jurisdiction over Part IV.

The Ethics Codes under the OSE's jurisdiction are comprised of:

- The Code of Ethics for Public Officials (Part I);
- The Code of Ethics for Lobbyists (Part II); and
- Limited jurisdiction over Ethical Considerations Concerning Bidding and State Contracts (Part IV).

This guide provides general information only. The descriptions of the law and the OSE are not intended to be exhaustive. Please contact the OSE with any questions regarding interpretation of the law.

For more information on the subjects discussed in this guide, call, write or visit:

**Connecticut Office of State Ethics**

**18-20 Trinity Street**

**Suite 205**

**Hartford, CT 06106**

**860/566-4472**

**[www.ct.gov/ethics](http://www.ct.gov/ethics)**

### **Citizen's Ethics Advisory Board:**

Robert Worgaftik, Chairperson (through September 2009)

Enid Oresman, Vice Chairperson (through September 2009)

Ernest Abate (through September 2011)

Jaclyn Bernstein (through September 2008)

G. Kenneth Bernhard (through September 2011)

Rebecca M. Doty (through September 2011)

Dennis Riley (through September 2010)

Michael Rion (through September 2008)

Sister Sally J. Tolles (through September 2009)

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## THE OFFICE OF STATE ETHICS (OSE)

The Connecticut Office of State Ethics (OSE) was officially created on July 1, 2005, by Public Act 05-183. The governing body of the OSE is the Citizen’s Ethics Advisory Board (CEAB), nine members appointed by the Governor and legislative leadership. The CEAB holds monthly meetings that are open to the public and that are often covered by CT-N. A schedule of CEAB meeting dates, times and locations is available on the OSE’s Web site: [www.ct.gov/ethics](http://www.ct.gov/ethics) .

The OSE is an independent watchdog agency for the state of Connecticut that administers Connecticut General Statutes, Chapter 10, Parts I and II, with limited jurisdiction over Part IV.

Simply put, the OSE educates all those covered by the law (the “regulated community”) provides information to the public; interprets and applies the codes of ethics; and investigates potential violations of the codes.

The OSE is made up of the following components:

- Citizen’s Ethics Advisory Board
- Executive Director
- Legal Division
- Enforcement Division

## THE BIG PICTURE

All state officials and employees (except judges) are covered by Part I of the Code of Ethics for Public Officials (henceforth, Part I, or the Code). It is important to remember that certain provisions of the Code also apply to public officials and state employees after they leave state service.

As you read through this guide, be aware that these laws were enacted to prevent individuals from using their public position or authority for personal, financial benefit.

Each state agency also has its own ethics policy, which in many cases may be more restrictive than what follows. Be sure to obtain a copy of your agency's policy.

## BENEFITS TO STATE PERSONNEL

### Gifts

As a public official or state employee, there are rules in place regarding accepting gifts from both regulated and non-regulated donors. In general, you may not accept gifts from regulated donors.

#### Regulated Donors

Regulated donors include:

- Registered lobbyists (the OSE can tell you who is registered);
- Individuals or entities doing business with your state department or agency;
- Individuals or entities seeking to do business with your state department or agency;
- Individuals or entities engaged in activities regulated by your state department or agency; or
- Contractors pre-qualified by the Connecticut Department of Administrative Services (Conn. Gen. Stat. § 4a-100).

A **gift** is defined as anything of value that you (or in certain circumstances a member of your family) directly and personally receive unless you provide consideration of equal or greater value (e.g., pay for the item). Conn. Gen. Stat. § 1-79 (e).

#### Gift Exceptions

There are, however, certain exceptions to this definition of gift. Not all exceptions are covered below; see Conn. Gen. Stat. § 1-79 (e) (1) – (17) for the complete list.

- *Token Items* – Regulated donors such as current or potential state contractors may provide you with any item of value that is under \$10 (such as a pen, mug, or inexpensive baseball cap), provided that the annual aggregate of such items from a single source is under \$50. Conn. Gen. Stat. § 1-79 (e) (16).
- *Food and Beverage* – Regulated donors may also provide you with up to \$50 worth of food and beverage in a calendar year, provided that the regulated donor or his/her representative is in attendance when you consume the food and/or beverage. Conn. Gen. Stat. § 1-79 (e) (9).
- *Training* – Vendors may provide you with training for a product purchased by a state or quasi-public agency provided such training is offered to all customers of that vendor. Conn. Gen. Stat. § 1-79 (e) (17).
- *Gifts to the State* – Regulated donors may provide what are typically referred to as “gifts to the state.” These gifts are goods and services provided to a state agency or quasi-public agency for use on state or quasi-public agency property or that support an event, and which facilitate state or quasi-public action or functions. Conn. Gen. Stat. § 1-79 (e) (5).

- *Other Exceptions* – There are a total of 17 separate gift exceptions in the Code. Also exempt from the definition of gift are items such as informational materials germane to state action, ceremonial plaques or awards costing less than \$100, or promotional items, rebates or discounts also available to the general public. See Conn. Gen. Stat. § 1-79 (e) (1) – (17).

**Note:** Registered lobbyists may make use of the oft-cited “major life event exception.” Other regulated donors *may not* make use of this exception. There is no dollar limit on an item a registered lobbyist gives to you or a member of your family for:

- Birth or adoption of a child;
- Wedding;
- Funeral; or
- Ceremony commemorating induction into religious adulthood (e.g., bar mitzvah or confirmation).

This list of major life events is exhaustive.

**Note:** Retirements are not presently defined by the Code as being a major life event.

### **Gift Provisions**

*Example: You are in the process of reviewing a bid for work at your agency. The contractor submitting the bid provides you with a gift certificate for \$45 to a popular West Hartford eatery for you to use on your own. You have not previously received anything of value from this individual. Even though the certificate is under the permissible \$50 food and beverage limit, this gift is not allowed because the contractor or his/her representative will not be in attendance while the food and beverage is being consumed.*

### **Non-regulated Donors**

Besides regulated donors outlined above, the law cites two other categories of individuals or entities that may attempt to give you gifts. These other “gift-givers” include:

- *Non-regulated donors giving you something because of who you are in state service* – If a gift-giver does not fall within the definition of a regulated donor, but is nonetheless giving you something because of your public position, you should be aware that a dollar limit exists. From this type of donor, you may only accept up to \$100 annually from a single source.
- *Non-regulated donors giving you something that has nothing to do with your state job* – There is no limit as to what you may accept from a non-regulated donor, such as your neighbor of 20 years or a best friend from kindergarten, who is giving you a gift that has nothing to do with your public position. This holds true as long as the donor remains non-regulated. Should this individual become a registered lobbyist, for example, the gift provisions regarding regulated donors would apply.

### **Necessary Expenses**

You may receive compensation for necessary expenses *only* if you, in your official capacity, actively participate in an event; for example by giving a speech or presentation,

or running a workshop.

Necessary expenses can include:

- Travel (not first class);
- Lodging (standard cost of room for the nights before, of, and immediately following the event);
- Meals; and
- Related conference expenses.

Entertainment costs (tickets to sporting events, golf outings, night clubs, etc.) are *not* necessary expenses. Necessary expense payments also *do not* include payment of expenses for family members or other guests.

Within 30 days of receiving payment or reimbursement of necessary expenses for lodging or out-of-state travel, as a state employee, you must file an ETH-NE form with the OSE. Conn. Gen. Stat. § 1-84 (k).

### **Fees/Honorariums**

As a public official or state employee, you may not accept fees or honorariums for an article, appearance, speech or participation at an event in your official capacity.

Fees or honorariums for such activities, if offered based solely on your expertise and without any regard to your official capacity, may be acceptable. Contact the OSE if you are offered such payment. Conn. Gen. Stat. § 1-84 (k).

#### **Necessary Expenses, Fees and Honorariums**

*Example: You are invited to travel to New York City to give the keynote address to a trade association at its annual meeting. You will be speaking in your official capacity as a Connecticut state employee. The association provides Amtrak fare for you and your spouse, who will spend the day in the city. The evening of the speech, you and your spouse are treated by the event organizer to a Broadway show in lieu of a speaking fee.*

*You may receive non-first class travel only if you are actively participating in an event. In this case, you may only accept Amtrak fare for yourself, not your spouse. Entertainment costs, such as tickets to a show, are not considered necessary expenses and may not be accepted. Additionally, state employees may not accept fees or honorariums for a speech given in their official capacity.*

### **GIFTS BETWEEN STATE EMPLOYEES**

Advisory Opinion No. 2006-6 interpreted Conn. Gen. Stat. § 1-84 (p), a recently-enacted provision in the Code. This three-part provision limits gift-giving between certain individuals in state service. Specifically:

- The provision imposes a monetary limit of \$99.99 for gifts between a public official or state employee and his or her supervisor. This limit is a **per-gift** – not a per-year – amount.

- Individuals subject to this limit may still make use of the major-life-event exception. In other words, supervisors and subordinates are not limited to \$99.99 when giving gifts to each other for major life events.
- The provision applies not only to direct supervisors and subordinates, but to any individual up or down the chain of command.

In Advisory Opinion 2007-5, the Board concluded that supervisors and/or subordinates *may not pool* their money to give a collective or group gift valued in excess of the \$99.99 limit. Thus, except in the case of a major life event, it would be a violation for Supervisor A to accept a gift valued at \$150 from Subordinates X and Y (and for them to give such a gift), even though the individual contributions of X and Y are less than the \$99.99 limit established in § 1-84 (p).

## EMPLOYMENT RESTRICTIONS

### Post-state Employment (Revolving Door)

If you are a *former* state employee seeking employment, you should be aware of the Code's post-state employment, or revolving-door, provisions.

#### Lifetime Bans

- You may *never* disclose any confidential information you learned during the course of your state service for anyone's financial gain. Conn. Gen. Stat. § 1-84a.
- You may *never* represent anyone other than the state regarding a particular matter in which you were personally or substantially involved while in state service and in which the state has a substantial interest. This prevents side-switching in the midst of on-going state proceedings. Conn. Gen. Stat. § 1-84b (a).

#### One-year Bans

- You may not represent your new employer for compensation before your former agency for a period of *one year* after leaving state service. Conn. Gen. Stat. § 1-84b (b). (See Advisory Opinion No. 2003-3, which provides a limited exception to this provision if you are providing purely technical expertise; for example, to help implement a previously-awarded contract. This exception applies to extremely limited circumstances; contact the OSE for guidance.)
- You are prohibited from being hired for a period of *one year* after you leave state service if you were substantially involved in, or supervised, the negotiation or award of a state contract (that a prospective employer was a party to) valued at \$50,000 or more, and the contract was signed within your last year of state service. Conn. Gen. Stat. § 1-84b (f).
- Employees who held certain specifically-designated positions (with significant decision-making or supervisory responsibility) at certain state regulatory agencies are prohibited from seeking or accepting employment with any business subject to regulation by the individual's agency within *one year* of leaving the agency. Note that there is an exception for *ex-officio* board or commission members. Conn. Gen. Stat. § 1-84b (c).

### Post-state Employment

*Example: The head of a hospital regulated by the Office of Health Care*

*Access (OHCA) would like to offer a job to the former Commissioner of OHCA, who has been out of state service for 5 months. Because the hospital is regulated by a state agency whose Commissioner is specifically designated in 1-84b (c), the former head of such agency would not be permitted to accept employment with the company for one full year after leaving state service. See Advisory Opinion No. 2003-19.*

## **Outside Employment for Current Public Officials and State Employees**

If you are a current state employee seeking outside employment, especially from an employer that is regulated by or does business with your agency, you should be aware of the following rules regarding the employment of current state employees.

- You may not accept outside employment that impairs your independence of judgment regarding your state duties, or that encourages you to disclose confidential information learned in your job. Conn. Gen. Stat. § 1-84 (b).
- You may not use your position for financial gain, however inadvertent that use may be. For example, a current state employee who exercises any contractual, supervisory or regulatory authority over a prospective employer and/or business may not be able to work for that employer. Conn. Gen. Stat. § 1-84 (c).
- You may not accept employment with an entity that represents others before the following 13 agencies: State Insurance and Risk Management Board, Claims Commissioner, Office of Health Care Access, Insurance Department, Department of Environmental Protection, Department of Public Utility Control, Department of Banking, Department of Consumer Protection: liquor control, Department of Motor Vehicles, Gaming Policy Board, Division of Special Revenue, Connecticut Real Estate Commission, Connecticut Siting Council. Conn. Gen. Stat. §1-84 (d). **Note:** This provision does not apply to legislators.
- You may not utilize state time, materials or personnel in completing tasks for outside employment.

## **Other Considerations**

Present or former Gaming Policy Board or Division of Special Revenue public officials or employees should be aware of specific provisions relating to their involvement with businesses engaged in Indian gaming activities. See Conn. Gen. Stat. §§ 1-84b (d) and (e).

### **Outside Employment**

*Example: Your agency occasionally approves grants or contracts from Business X. A particular contract manager with your agency has been approached by Business X with an employment possibility. This employee has expressed interest in earning a little extra money for himself, while helping Business X in the evenings and on weekends.*

*It would constitute an impermissible impairment of judgment for the employee of your agency, who has contract management responsibilities, to accept outside employment with Business X – a business that receives grants or contracts from your agency.*

## STATEMENTS OF FINANCIAL INTERESTS

### Statements of Financial Interests

Each year, the Governor's Office issues the standard that determines which public officials and state employees must file a Statement of Financial Interests (SFI) with the OSE. These statements include information such as names of all associated businesses, income over \$1,000 and a list of all real property as well as any creditors. These examples are not exhaustive; refer to Conn. Gen. Stat. §1-83 (b) for a complete list. The SFIs serve two purposes. First, the financial disclosure provides a checklist or reminder to you to be mindful of potential conflicts of interest. Second, the statements serve as a tool to maximize public confidence in governmental decision making. The current Governor's standard requires an SFI filing by individuals in the executive branch and quasi-public agencies who:

- Exercise significant policy-making, regulatory, or contractual authority;
- Have significant decision-making and/or supervisory responsibility for the review and/or award of state contracts;
- Have significant decision-making and/or supervisory responsibility over staff that monitors state contracts; and
- All state employees and public officials who have responsibility for the review, award, or monitoring of state contracts.

If your name appears on the list of filers, you are obligated by law to file. The OSE takes enforcement action against delinquent filers.

## OTHER PROVISIONS

### Reporting Requirements

Should you receive anything of value from an entity doing business with, seeking to do business with, or directly regulated by your department or agency, that entity must, within **10 days**, give you and the head of your department or agency a written report stating:

- Name of the donor;
- Description of item(s) given;
- Value of such item(s); and
- Total cumulative value of all items to date given to you by that donor during the calendar year.

This helps both you and the regulated donor keep track of the gift exceptions noted above, so that permissible limits are not exceeded. Conn. Gen. Stat. § 1-84 (o).

### Public Act 05-287

Public Act 05-287 contains key changes to the Codes of Ethics. The most important changes for public officials include:

- Mandatory reporting requirements for certain agency heads who have “reasonable cause to believe that a person has violated” the Codes of Ethics. Those agency heads are now required to report that belief to the Office of State Ethics. (Note: Ethics compliance officers and liaisons are not mandatory reporters.)
- Codification of the prohibition of gift-giving between supervisors and subordinates for gifts costing \$100 or more. Conn. Gen. Stat. §1-84 (p). (See page 9 of this guide.)
- Appointments of ethics liaison officers within each state agency. Section 35 of the Public Act codified this requirement as well as established certain roles and responsibilities for the liaison officers. (See below.)

### **Ethics Compliance Officers and Ethics Liaisons**

Ethics compliance officers must be appointed within each state agency and quasi-public agency that deals with or plans large state contracts. The main responsibilities of a compliance officer include developing an agency ethics policy as well as training agency employees on the Code, paying attention to any changes in the law as well as provisions specific to state contracting. Conn. Gen. Stat. §1-101rr (a).

Ethics liaisons must be appointed within each other state agency and quasi-public agency. These officers serve as a link between the agency and the Office of State Ethics. Liaisons are responsible for developing agency ethics policies as well as coordinating employee training with the OSE. Conn. Gen. Stat. §1-101rr (b).

The OSE supports the responsibilities of the above officers by providing in-person training, educational videos or training materials upon request. The OSE also sends a monthly electronic newsletter to each officer that highlights new developments in the law, summarizes new advisory opinions, includes handouts on complex areas of the law and provides answers to frequently-asked questions. All such communications are indexed on the OSE’s Web site, in the “Ethics Liaison/Compliance Officer Corner.”

### **Filing a Complaint**

Enforcement of the Codes is initiated by a complaint, filed by the Ethics Enforcement Officer or any member of the public. To learn more about the enforcement process and filing a complaint, please refer to the *2008 Citizen’s Guide to Filing a Complaint*, available on the OSE’s Web site: [www.ct.gov/ethics](http://www.ct.gov/ethics) .

### **FOR MORE INFORMATION**

This guide provides general information only. The descriptions of the law and the OSE are not intended to be exhaustive. For more information regarding the Code of Ethics as it pertains to public officials and state employees, please contact the Office of State Ethics, Monday – Friday, 8:30 a.m. to 5:00 p.m.

Office of State Ethics  
18-20 Trinity Street  
Hartford, CT 06106-1660

T: 860/566-4472  
F: 860/566-3806  
[www.ct.gov/ethics](http://www.ct.gov/ethics)

**Specific Contacts:**

Questions or advice regarding the Ethics Codes: [Ethics.Code@ct.gov](mailto:Ethics.Code@ct.gov)

Lobbyist filing/reporting questions: [lobbyist.OSE@ct.gov](mailto:lobbyist.OSE@ct.gov)

Public official filing/reporting questions: [SFI.OSE@ct.gov](mailto:SFI.OSE@ct.gov)

Enforcement questions: [Ethics.Enforcement@ct.gov](mailto:Ethics.Enforcement@ct.gov)

All other inquiries: [ose@ct.gov](mailto:ose@ct.gov)

April 2008

## **Applicable Connecticut General Statutes**

Sections 1-79 through 1-101	Code of Ethics for Public Officials
Section 1-84	Prohibited Activities
Section 1-84a	Disclosure or use of confidential information by former official or employee
Section 1-84b	Certain activities restricted after leaving public office or employment
Section 1-85	Interest in conflict with discharge of duties
Section 1-86	Procedure when discharged of duty affects official's or state employee's financial interests. Lobbyists prohibited from accepting employment with general assembly and general assembly members forbidden to be lobbyists.
Section 1-86e	Consultants and independent contractors. Prohibited activities.
Section 5-226	Corrupt practices in relation to examinations and appointments
Section 5-266a	Political activities of classified state employees and judicial department employees. Candidacy for office. Leave if absence or resignation upon taking elective office.
Section 5-266b	Permitted activity
Section 5-266c	Regulations
Section 5-266d	Dismissal or suspension of employee. Appeal
Section 5-267	Officers, appointing authorities and employees to comply with law
Section 5-268	Penalty

**The Department of Motor Vehicles  
Rowland State Government Center  
55 West Main Street  
Waterbury, CT 06702-2004**

**Code of Ethics – Addendum 1**

**On-Site Travel Prohibition**

Effective immediately, employees of the Department of Motor Vehicles (DMV) are **prohibited** from traveling with a registered lobbyist, contractor or person doing business with or seeking to do business with the DMV (hereinafter referred to as “interested parties”) when the purpose of such travel is to conduct an on-site visit to assess a potential project. This prohibition applies when such interested parties are or may be interested in bidding on such project and they may receive information that is unavailable to similarly situated parties.

This prohibition applies to any on-site visit, whether in-state or out-of-state travel is required. Allowing interested parties to provide the funds for expenses associated with such trips should be avoided, however, this ban is applicable regardless of the source of funds. When conducting on-site visits, all interested parties must be afforded the same opportunity to meet DMV and other state officials at the site.

This prohibition on traveling with interested parties **does not apply** once a contract is awarded and such travel is necessary to the implementation of the contract or to conduct an inspection or ensure compliance of an already existing contractual agreement. Furthermore, **it is not intended** to prohibit DMV personnel from visiting a potential vendor when an inspection is necessary to assess a particular vendor’s product or as part of DMV’s required due diligence prior to the contract award.

Examples:

1. A site visit to a future project site at a set time or times to assess the scope of work that is open to all bidders does not violate the policy; provided each bidder has access to the same information and provides answers to any questions asked to all bidders, including answers given at a later time. DMV personnel should meet all bidders at the site location.
2. A visit to a potential lease site by a property agent and a DMV representative at which the property agent, DMV representative and landlord meet to discuss the site does not violate the policy; provided that if the property agent or DMV representative affirmatively disclose information that would give insight into how

potential sites are being evaluated, this information must be disclosed to all potential landlords.

3. A visit to a future project site by a DMV employee and a bidder about which the other bidders were not notified or invited violates the policy.

Questions regarding this policy should be directed to the Chief Administrative Officer.

**Amended December 1, 2005**