

July 28, 2008

New Advisory Opinions

On July 24, 2008, the Citizen's Ethics Advisory Board met and decided on two new advisory opinions, summarized below. Click on the AO number to read the full text of the opinion.

2008-5, Application of the Code of Ethics to Supervisors and Subordinates who Employ Each Other in Outside Employment

The Citizen's Ethics Advisory Board concluded that it is impermissible, under the Code of Ethics, for a state employee-supervisor to employ a state employee-subordinate in the supervisor's outside business. Likewise, it is impermissible under the Code for a subordinate to employ a supervisor in the subordinate's outside business. Both situations would involve an impermissible impairment of independence of judgment. The Board noted that this prohibition extends to all supervisors and subordinates up and down the chain of command.

2008-6, State Employees Participating in a Rebate Program Administered by their Agency

Employees of Connecticut Innovations, Inc. (CI) may participate in the Solar PV Rebate Program administered by the agency with the exception of those employees substantially involved in the development, and those involved in approving the development of, the criteria under which the program operates. Employees, including those who administer the program, may participate on the same terms as other eligible Connecticut residents, with the following guidelines:

- A CI Employee involved in administering the program who submits an application must file a written statement of the potential conflict with his/her supervisor, who must then assign the matter to an employee who is not a subordinate of the filer;
- A CI employee who is not involved in administering the program but submits an application must not have his/her application evaluated by a subordinate;
- CI employees submitting rebate applications must receive no preferential treatment;
- CI employees must not use their positions or any confidential information to influence CI's response to their applications; and
- Any communications between CI and its employees regarding their applications must be formal and in writing.

Public Act 08-3 Clarification

We have received a number of questions regarding the new statutory language that follows below. Please note that the training requirement established by the Legislature in Section 8 refers to mandatory training on the "Code of Ethics for Public Officials," Part I of Chapter 10 of Connecticut General Statutes, for *legislators* – not other public officials.

Sec. 8. (NEW) (*Effective October 1, 2008*) Not later than December 31, 2010, the Office of State Ethics shall establish and administer a program of mandatory training on the code of ethics for public officials as set forth in chapter 10 of the general statutes. Such program shall provide such training to members of the General

Assembly upon first election to the General Assembly, and for all members of the General Assembly every four years beginning in 2011, except that, in the event there is a significant revision of the code of ethics for public officials, as determined by the Joint Committee on Legislative Management, said committee shall request that the Office of State Ethics conduct a training for all members of the General Assembly before the date of the next regularly scheduled training.

New Publications – Political Contributions and Conventions

As the 2008 election season heats up with the national party conventions on the horizon, the OSE has created two new handouts regarding the permissibility of political contributions per the ethics codes as well as code provisions that apply to political conventions:

- o [Political Contributions](#)
- o [Political Conventions](#) (Benefits Received, Charitable Events and Lobbyist Restrictions and Reporting)

Best regards,

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