

CODE OF ETHICS

FREQUENTLY ASKED QUESTIONS

Gifts

- 1. For the purposes of the Code's gift provisions, what, exactly, is meant by "immediate family"? Do in-laws count?**

Conn. Gen. Stat. § 1-84 (j) bans gifts from lobbyists. The language states that no public official, state employee, candidate for public office, or any member of such person's staff *or immediate family* shall accept a gift from a person known to be a registrant or someone acting on behalf of a registrant.

"Immediate family" is defined in Conn. Gen. Stat. § 1-79 (f) as, "spouse, children or dependent relatives who reside in the individual's household." Therefore, only in the instance where in-laws are: a) dependent AND b) residing in the household would such in-laws be considered immediate family and therefore banned from accepting gifts from lobbyists.

- 2. Are domestic partners and civil union partners included in the definition of immediate family?**

Yes because Conn. Gen. Stat. § 46b-3800 provides that, "wherever in the General Statutes the term 'spouse,' 'family,' 'immediate family,' 'dependent,' 'next of kin,' or any other term that denotes the spousal relationship are used or defined, a party to a civil union shall be included in such use or definition..."

- 3. I am a state employee and my spouse recently became a restricted donor. Are there restrictions as to what I may accept from my spouse?**

No. This is addressed by one of the gift exceptions, which permits unlimited gifts from restricted donors who are an individual's spouse, fiancé or fiancée, the parent, brother or sister of such spouse or such individual, or the child of such individual or the spouse of such child. Conn. Gen. Stat. § 1-79 (e) (4).

- 4. A vendor that frequently does business with our agency just sent a large fruit basket to our office as a holiday gift. May we accept it or do we need to send it back?**

A fruit or gift basket (valued at more than \$10), while not acceptable if given to one person alone, may be accepted on behalf of an entire agency or division if the per person cost will be reduced to less than \$10. This makes the gift comport with the gift exception for "token items" of \$10 or less per person. Conn. Gen. Stat. § 1-79 (e) (16).

5. *The holidays are right around the corner, and I would really like to give my boss a nice gift. Are there any limits on the amount I can spend?*

Yes. The Code of Ethics limits gifts between supervisors and subordinates, up and down the chain of command. Your boss may accept a gift from you costing \$99.99 or less. Conversely, you may accept a gift from your supervisor that costs \$99.99 or less. Note that pooling money by supervisors or subordinates to give a gift beyond this limit is not permitted, except in the case of a major life event.

6. *An association that is a registered lobbyist would like to honor me as the State Employee of the Year. They will be having a banquet and presenting me with a plaque (I'll probably make a short speech). May I accept these gifts?*

Because you are participating in the ceremony in your official capacity, you may accept "necessary expenses," which in this case include the cost of the meal. Conn. Gen. Stat. § 1-84 (k). You may accept the plaque if it is valued at less than \$100. Conn. Gen. Stat. § 1-79 (e) (6).

7. *A branch of a bank that my agency regulates is opening in my town. The branch is giving away duffle bags free to anyone who opens a new checking account. May I accept the duffle bag if I open a checking account at this branch?*

Yes. Because the free duffle bag is available to any member of the public who opens a checking account, you may accept the duffle bag. Conn. Gen. Stat. § 1-79 (e) (7). If, on the other hand, this offer was only open to you because of your position with your agency, you would not be able to accept the promotional item.

8. *Would a state employee be able to accept a government rate at a hotel if it is the same discount offered to everyone?*

Even though this is called a "government discount," if it is the same discount that is offered to other large groups such as AAA or AARP, then it may be considered a

“discount available to the general public.” As such, the discount may be accepted, even if the hotel is a restricted donor, and is not subject to a monetary limit.

Revolving Door

9. I am contemplating leaving state service. May I discuss potential job opportunities with a private entity before leaving my state job?

Generally, when a state employee is in “active pursuit” of a particular job opportunity, he or she must have nothing to do with the potential employer’s state business, if any. “Active pursuit” of a job is the point at which the state employee is scheduled for an interview with the potential employer. If a state employee is in active pursuit of a job opportunity with an entity that has business before the employee at his/her agency: (1) the employee must notify an immediate supervisor in writing of the potential conflict of interest; and (2) the supervisor must refer the matter to someone at or above his or her level. Note: Once a state employee leaves state service, the revolving-door provisions apply.

(Exceptions exist for public officials and state employees who hold certain positions – those with significant decision-making or supervisory authority – in certain state regulatory agencies. These individuals may not negotiate for, seek or accept employment with any business subject to regulation by the individual’s agency. There is also an exception for some Gaming Policy Board members and Division of Special Revenue personnel with regards to Indian gaming operations. See Conn. Gen. Stat. § 1-84b (c), (d), and (e).)

Outside Employment

10. I am a state employee and I am thinking of taking a second job. Is there a way that I can find out before I take the job whether it’s permissible under the Code of Ethics?

Yes. Attorneys in the Legal Division at the Office of State Ethics are available to answer questions of this nature, and other questions regarding the Code of Ethics. Responses by the attorneys are called informal staff letters. You may call the OSE and ask to speak with an attorney, you may send your question in writing to the OSE, or you may send an email to Ethics.Code@ct.gov. Taking a second job is referred to in the Code as “outside employment,” to which certain restrictions do apply.

11. I have been asked to be the honorary chairperson of the American Cancer Society fundraising committee. They would like to put my name on their letterhead as the honorary chair. I would not be paid for my efforts. Is this permissible?

Yes. Because the Code of Ethics addresses improper personal financial gain, volunteer work usually does not raise an issue under the Code of Ethics.

Necessary Expenses/Fees

12. May a state employee or public official who is prohibited from accepting a fee or honorarium for a speech nevertheless direct that the fee be donated to a charity of his/her choice?

Yes, so long as the state employee or public official does not receive any charitable deduction or other financial benefit. The employee/official may also request that the fee be donated to his/her state department or agency, so long as the funds are not directed to an account that is within the employee's control or that may result in his or her personal financial benefit. Please note that the donation must be transferred directly to the charity or the state agency, without passing through the state employee or public official.

13. I have been asked to make a speech at a conference concerning a project that my agency has been working on. The conference is in California and the organizer of the conference has offered to pay the cost of my airfare, hotel, meals and conference fees, and pay me a stipend of \$500. Is this ok? Do I need to report this somewhere?

If you are actively participating in the conference (e.g., making a speech, presenting a paper, etc.), you may accept reimbursement for "necessary expenses" associated with your participation. This means that you may accept reimbursement for airfare (in coach class, not first class), lodging for the nights before, of and after the speech or presentation (standard room, not a suite), meals, and conference and related fees (such as for materials). You may not, however, accept an honorarium or stipend for your participation. You must report reimbursement of "necessary expenses" for out-of-state travel and/or lodging to the Office of State Ethics within 30 days of receiving such reimbursement.

14. While I'm at the conference, is it permissible for me to accept a round of golf or tickets to a show from the sponsor?

No. The cost of a round of golf, shows, spa treatments and the like are not considered “necessary expenses” and may not be accepted (unless, of course, they cost less than \$10).

Use of Office

15. May an employee hire or make an assignment to a family member that will affect the latter’s pay?

Although the Code of Ethics does not contain a blanket prohibition on family members working in the same department of a state agency, it does prohibit an individual who is in a position of superior authority from taking any action that furthers the financial interest of certain family members (i.e., his or her spouse, child, child’s spouse, parent, brother or sister). The family member of greater rank, therefore, must not take any action with regard to the hiring and evaluation process. That prohibition extends to the performance evaluation of any individual competing with the family member of lower rank for wage increases or other benefits.

If the family member of greater rank is required to take any such action (e.g., wage increase, evaluation, etc.), then he or she must proceed in accordance with Conn. Gen. Stat. § 1-86 (a). That is, he or she must prepare a written statement signed under penalty of false statement describing the matter requiring action and the nature of the conflict and deliver a copy of the statement to his or her immediate superior, who will assign the matter to a peer or to a superior of the employee, not to a subordinate who is subject to the control or influence of the employee with the potential conflict.

Complaints/Enforcement

16. I am a state employee and I believe that someone I work with is doing something that violates the Code of Ethics. May I file a complaint with the OSE? Am I required to file a complaint with the OSE?

Any state employee, public official or member of the public may file a complaint with the OSE. A complaint must be filed in a form prescribed by the Citizen’s Ethics Advisory Board, and signed under penalty of false statement. Certain agency officials, such as Commissioners and Deputy Commissioners, Agency Heads and Deputy Agency Heads and persons in charge of state agency procurement, are **required** to report any suspected violation of the Code of Ethics. Conn. Gen.

Stat. § 101-pp. Please also refer to our instructive [Citizen's Guide to Filing a Complaint](#).

17. I just filed a complaint with the Office of State Ethics. With whom may I share this information?

No one. Any complaint alleging a violation of the Codes of Ethics must remain confidential except after a finding of probable cause, at the request of the respondent or upon an agreed resolution of the matter by consent order. While the investigation is confidential, no one – the complainant, respondent, witness, designated party, OSE Board member, OSE staff member – may disclose that a complaint has been filed, or any information related to the investigation of the complaint.