

ETHICS REMINDERS

*Thinking about running for public office...
Check before you do.*

As a rule, State officers and employees are not permitted to engage in any outside activity that “*interferes or is in conflict with*” the performance of their job and responsibilities to the State. That prohibition can even extend to holding a local elective or appointive public office. In some instances, campaigning for public office may also be incompatible with your duties as a State officer or employee.

Each State agency can have specific policies regarding the outside activities of its own employees. Therefore, a State officer or employee who is considering public office as an outside activity should first check with their supervisor or their agency’s Ethics Officer. In addition, persons designated by their agency as a “policymaker” need the **approval** of their agency **and** the Joint Commission on Public Ethics in order to hold a public office outside of their State employment. Persons **not** designated a policymaker only need their agency’s approval. It is important to note that, while the Commission’s regulations do not require approval to engage in **campaigning** for office before Election Day, one’s agency can impose such a requirement. This is true for designated policymakers and non-policymakers. This makes it even more important to confirm the policies of one’s agency as early as possible.

Bottom line: Be sure to contact your agency’s Ethics Officer as soon as you think about running for, or being appointed to, any public office. Commission staff is also available to answer questions regarding the Commission’s outside activity regulations and procedures.

Call: 1-800-87-ETHICS (800-873-8442)

OR

Email: legal@jcope.ny.gov

Press “2” for Attorney of the Day

Violating Public Officers Law § 74 can result in a maximum fine of \$10,000 and the value of any gift, compensation, or benefit received in connection with that violation, and is punishable as a Class A misdemeanor.



The Joint Commission on Public Ethics periodically releases Ethics Reminders. Each reminder is a synopsis of the laws and rules under the Commission’s jurisdiction. Ethics Reminders are issued to assist those who are subject to the Commission’s jurisdiction in understanding and complying with their obligations under the law.