



Guidance for Agency Ethics Officers and Agency Trainers when implementing the mandated Statewide Ethics Training Initiative

Overview on the Ethics Commission Reform Act of 2022

The Ethics Commission Reform Act of 2022 made significant changes to the ethics training mandate in Executive Law § 94.

Beginning July 8, 2022, the Executive Law mandates that all state officers and employees complete live comprehensive ethics training (the “CETC”) every two years and an online ethics refresher course in the intervening years. These changes have created a roughly ten-fold increase in the number of individuals subject to the ethics requirements overall and a thirty-fold increase in the number of individuals who are to receive ethics training each year.

We continue to rely on the partnership of agency Ethics Officers and their training designees to be the primary source for live ethics training. In an effort to assist our partner agencies, the Education Unit provides the following guidance and training schedule:

Current Ethics Training Courses that satisfy the ‘live’ training requirement:

The Commission on Ethics and Lobbying in Government (“COELIG”) continues to provide several versions of the *live* CETC:

1. **Comprehensive Ethics Training Course:** This course is appropriate for *all* State officers and employees, including information for audiences that may include both FDS Filers and non-filers.
2. **CETC Express:** This version of the CETC is designed for those individuals who are not required to file a Financial Disclosure Statement.
3. **Comprehensive Ethics Training Course for Unpaid and Per Diem Officers:** Only unpaid or per diem members of boards, councils, commissions, and similar entities are eligible to attend this course. It is not intended for FDS Filers who are also paid employees of the State.

On-Demand online Ethics Training Course - Now available

Available on the Statewide Learning Management System ('SLMS')

COELIG has developed an online on-demand ethics training course for state employees with access to the Statewide Learning Management System ('SLMS'). This course satisfies the Ethics Refresher requirement for employees who have already completed live instructor-led training. At minimum, ***every employee who has not already taken the live instructor-led CETC should complete the On Demand CETC by December 31, 2023***, to help ensure compliance with the new ethics training requirements.

Agency SLMS Primary or Secondary administrators – are able to enroll their employees in the training.

SLMS Course Information:

- **Course long name: COELIG On Demand Ethics Training (CETC) 2023**
- **Course short name: COELIG OD**
- **Course Code: COELIG-OndemandCETC-2023**

The on-demand ethics training course is available on the statewide learning management system ('SLMS'). For agencies unable to utilize SLMS and can host SCORM or HTML training courses within their own learning management systems, please email us at education@ethics.ny.gov for more information.

Training Schedule for the State Workforce:

The mandate requires the following ethics training courses be made available to both new and existing employees. (Refer to the 'Recommended Training Schedule' on pg. 5 for more information).

1. **Comprehensive Ethics Training Course (CETC) and the On-Demand CETC** – the CETC generally must be provided as a live instructor-led course. The delivery methods can either be in-person or remote by utilizing web conferencing tools such as WebEx, Zoom, Google Meet, and Teams Meetings. In addition, COELIG is providing an online On Demand CETC for certain categories of employees:

- **New hires (Anyone hired in Calendar year 2023):**

A new hire must complete a live CETC within 90 days of hire. If a new hire is unable to attend a live CETC session within 90 days, the On-Demand CETC is required to be completed within the first 90 days of hire.

- **Existing FDS and Non-FDS Employees** who have *never* received ethics training from the Commission ("General State Employees") Please note this will include the majority of the State workforce):

- This segment of the State workforce must complete a live *or* on-demand CETC before December 31, 2023.
- Those who have only completed the On-Demand CETC by December 21, 2023, must then attend a live CETC on or before December 31, 2024.

2. Ethics Refresher

- **FDS Filers**

FDS Filers who have previously completed a CETC in calendar year 2022 must complete the Ethics Refresher on or before December 31, 2023. Until the online Ethics Refresher is developed, the On-Demand or live CETC will satisfy this requirement.

FDS Filers who have previously completed a CETC in calendar year 2023 must complete the Ethics Refresher on or before December 31, 2024. Until the Ethics Refresher is developed, the On-Demand or live CETC will satisfy this requirement.

- **General State Employees** – Employees who have completed a live CETC in calendar year 2024 must attend an Ethics Refresher on or before December 31, 2025. Until the Ethics Refresher is developed, the On-Demand or live CETC will satisfy this requirement.

TRAINING FAQs:

Can I provide the CETC Express to FDS Filers?

We require FDS Filers be provided the Comprehensive CETC which contains complete information regarding filing Financial Disclosure Statements, and certain provisions applicable to those designated as Policymakers or Threshold Filers.

Can I provide the Comprehensive CETC to non-FDS or General State Employees?

Yes. The Comprehensive CETC has specific sections dedicated to FDS employees; however, agency Ethics Officers and agency Training staff may train both FDS and general state employees utilizing the Comprehensive CETC.

Does the On-Demand CETC satisfy the live instructor-led CETC outlined in Executive Law § 94 (8)(a)?

No. The Commission recommends that new hires and/or existing active employees who have been an active employee since July 8, 2022 – the date the Ethics Commission Reform Act of 2022 was enacted, should attend a live instructor-led (in-person or remote). At minimum, *all new and existing employees should complete the On Demand CETC by December 31, 2023*, to ensure the state workforce understands the ethics laws that apply to them and to avoid any potential conflicts of interest that may arise.

Who enrolls employees in the On-Demand online CETC course?

Each agency with access to SLMS has a primary administrator and/or secondary administrator assigned. COELIG training staff are unable to enroll employees from outside agencies.

Monthly Training Compliance

Agency Ethics Officers and/or Training Compliance Officers will now also need to include monthly training statistics on the On-Demand CETC. Beginning with COELIG’s request for October monthly training statistics, agencies will be required to report the number of individuals who have completed the On Demand course, in addition to those who have completed the live CETC.

Recommended Training Schedule for Calendar Years 2023 through 2025

	On Demand CETC	Live CETC	Ethics Refresher
New Employees	Complete the on-demand CETC within 90 days*	Attend a live CETC on or before December 31, 2024	Complete Refresher Training on or before December 31, 2025**
Existing FDS Filers who have completed a live CETC in 2022 or 2023	The on-demand CETC satisfies the Ethics Refresher Requirement for FDS Filers and non-FDS state employees that have already attended a LIVE CETC course.		If live CETC taken in 2022 – Ethics Refresher required on or before December 31, 2023**
			If live CETC taken in 2023 – Ethics Refresher required on or before December 31, 2024**
Existing FDS and Non-FDS Employees who have <u>not</u> received any ethics training	Complete the on-demand CETC within 90 days or before December 31, 2023	Attend a live CETC on or before December 31, 2024	Complete Refresher Training on or before December 31, 2025**

* Agency Ethics Officers and Agency Trainers that are able to enroll new employees (FDS and non-FDS) into a live CETC session on or before December 31, 2023 may elect to have their employees skip the on-demand CETC in favor of attending a live CETC.

** The on-demand CETC satisfies the Ethics Refresher Requirement for FDS Filers and non-FDS state employees that have already attended a LIVE CETC course.