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MEMBERS



540 BROADWAY
ALBANY, NEW YORK 12207
ethics.ny.gov

SANFORD N. BERLAND
EXECUTIVE DIRECTOR

PHONE: (518) 408-3976
FAX: (518) 408-3975
ethics@ethics.ny.gov

November 14, 2023

Hon. Kathy Hochul
Governor
New York State
The Capitol
Albany, NY 12224

Hon. Carl E. Heastie
Speaker of the Assembly
LOB, Rm. 932
Albany, NY 12248

Hon. Andrea Stewart-Cousins
Senate Majority Leader
LOB, Rm. 907
Albany, NY 12247

Hon. Robert G. Ort
Senate Minority Leader
The Capitol, Rm. 315
Albany, NY 12247

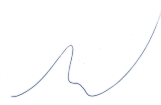
Hon. William A. Barclay
Assembly Minority Leader
LOB, Rm. 933
Albany, NY 12248

Dear Governor Hochul and Legislative Leaders:

On behalf of the Commissioners and staff of the New York State Commission on Ethics and Lobbying in Government, I am pleased to present you with the attached Annual Report and Reports for the Second and Third Calendar Quarters of 2023, together with aggregate statistics showing participation by each State agency in mandated ethics training. Also included is a summary of the steps being taken to address and meet the requirements of the

Ethics Commission Reform Act for workforce- and leadership-wide ethics training for the State's Executive and Legislative branches.

Respectfully,

A handwritten signature in blue ink, appearing to read 'S. Berland', with a long, sweeping flourish extending upwards and to the right.

Sanford N. Berland
Executive Director

Copy to Frederick A. Davie, Chair

ANNUAL ETHICS TRAINING COMPLIANCE REPORT

Mandatory Ethics Training | July 8, 2022 - June 30, 2023



The Ethics Commission Reform Act of 2022 (ECRA) mandates that all executive branch state officers and employees – approximately 330,000 individuals – receive ethics training every year by attending live comprehensive ethics training biennially and taking online ethics training in the intervening years. Prior to July 8, 2022, the Public Integrity Reform Act of 2011 (PIRA) mandated live ethics training for a significantly smaller population of approximately 30,000 Financial Disclosure Statement filers triennially. The Commission on Ethics and Lobbying in Government (“COELIG” or “Commission”) is the first state ethics commission in the nation that is required to implement and oversee a program of mandated live ethics training for its entire State workforce.

The expansion of mandatory ethics training and its annual repetition ensures that all State employees are schooled in their obligations under the ethics laws and directly aligns with the Commission’s mandate to foster public trust in government. ECRA provides a degree of flexibility to agency ethics officers and trainers in delivering the Comprehensive Ethics Training Course (CETC). The CETC remains a live instructor-led course that can now be provided to employees in person or utilizing remote online technology. In addition, all new executive branch hires are required to take the CETC within 90 days of commencing State employment, ensuring individuals are promptly provided with the information they need in order to comply fully with the State’s ethics laws.

Annual Training Statistics by Agency

Pursuant to Section 94(8) of the Executive Law, the Commission is required establish a training unit and to implement and oversee a State workforce and leadership ethics training program. Section 94(8)(f) of the Executive Law mandates that COELIG, on an annual basis, determine State agencies' compliance with the training requirements. The Commission is to report aggregate statistics on participation in ethics training on a quarterly basis to the Governor and the Legislature in writing, in coordination with the Legislative Ethics Commission (LEC), and in more detail annually.

Members and employees of the Legislature are also required to complete ethics training pursuant to Executive Law § 94(8) and Legislative Law § 80. The LEC developed and fully implemented an online ethics orientation course, which all new legislative employees are required to complete within three months of hire and provides training for legislative fellows and interns as well. All legislators completed comprehensive ethics training for 2022.

The majority of legislative employees, approximately 75% overall, completed ethics training in 2022. The Legislature has fully implemented the new training requirements for 2023 and, given ongoing monthly live training sessions, expects all employees to meet their training requirements before the end of 2023.

The information below includes ethics training information from each State agency from July 8, 2022, through June 30, 2023. A comprehensive breakdown of statewide ethics training compliance reported by agency is provided at the conclusion of this report.

Statewide Agency Compliance Snapshot¹

- Total number of State agencies: **384**
- Number of State officers and employees reported as of June 30, 2023: **307,053**
- Total number of State officers and employees receiving live training from July 2022 through June 30, 2023: **81,924**
- Percentage of employees live-trained July 2022 through June 30, 2023: **26.6%**
- Total number live-trained July 8, 2022 through September 30, 2023: **116,155 (38%)**

Outreach Efforts

ECRA mandates that the Commission provide and administer an online live question and answer course to the more than 185 agency ethics officers who represent the nearly 400 state agencies, public authorities, commissions, councils, and boards (collectively known in the law as “State agencies”).

The Education Unit’s outreach efforts in the past year included a Train-the-Trainer course administered in November 2022, which provided agency ethics officers and trainers with the course materials and knowledge necessary to train their own employees. During this session, the Education Unit launched a new version of the CETC geared toward the general State workforce, in addition to the more robust CETC designed to meet the needs of FDS filers and employees in high-ranking positions.

In addition, the Education Unit increased its outreach efforts by conducting 14 Ethics Officer Forums from July 2022-June 2023, providing the Education Unit and partner agencies with the opportunity to discuss unique challenges presented by the expanded training initiative.

¹ Aggregate training compliance statistics as of November 2, 2023.

Interim Measures to Increase Training

ECRA calls for the Commission to develop and administer both a comprehensive and interactive live-in person/live-online ethics training course and an online ethics refresher course, and to designate and train instructors to conduct the live training sessions. The Commission, in conjunction with the affected State agencies, is developing and implementing a series of interim measures aimed at providing comprehensive ethics training to a preponderance of the State workforce. These measures, including the development of business rules and desired system specifications—along with continuing live and self-directed online comprehensive ethics training commensurate with existing state agency personnel and resource availability—will remain in effect while state agency live training capabilities are expanded, and tracking systems are fully developed. The Unit is negotiating data-sharing agreements with agencies—an important step in establishing the framework necessary for successful online application administration. Efforts are also underway, in conjunction with the New York State Office of Information Technology Services, to develop and implement automated alternatives to the various labor-intensive tracking methods that agencies are currently using to track, record and report training requirement compliance by their respective officers and employees.

On-Demand CETC. On October 17, 2023, the Commission released an online On-Demand CETC to ensure that all State employees are familiarized with the ethics laws that apply to them and also to provide an interim tool to agency ethics officers and training staff who may be having difficulty in providing live CETC training to their entire complement of officers and employees. The On-Demand CETC is both available on the Statewide Learning Management System and disseminated to every agency that maintains a dedicated learning management system. The On-Demand CETC will also satisfy the statutory Ethics Refresher requirement for individuals who have already attended a live CETC.

In order to achieve the phased-in delivery of annual live and online ethics training to the entire State workforce in a two-year cycle, the Commission has approved the following **Recommended Training Schedule for Calendar years 2023 through 2025:**

	On Demand CETC	Live CETC	Ethics Refresher
New Employees	Complete the on-demand CETC or live 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 or live Ethics Seminar in 2022 or 2023	The on-demand CETC satisfies the Ethics Refresher Requirement for FDS Filers and non-FDS state employees who 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 or live 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**

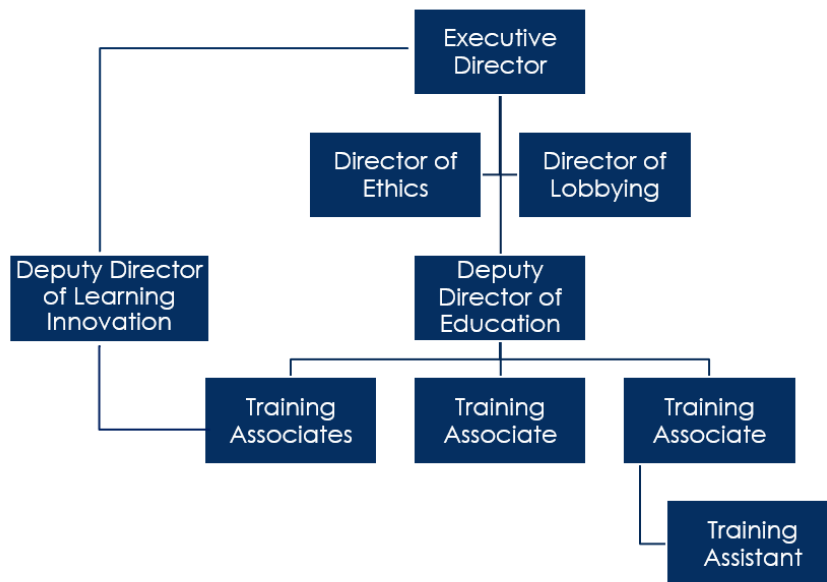
* Agency Ethics Officers and Agency Trainers who are able to enroll new employees (FDS and non-FDS) in a live CETC session on or before December 31, 2023 may elect to have their employees attend a live CETC course in lieu of the on-demand CETC.

** The on-demand CETC satisfies the Ethics Refresher Requirement for FDS Filers and non-FDS state employees who have previously attended a live CETC course.

Future Plans for COELIG Education and Training

Staff developed and the Commission approved an expanded staffing plan that increased the number of training associates and training assistants available to deliver both live ethics training and Train-the-Trainer instruction for agency ethics officers and training personnel. In addition, the Commission provided the funding necessary for our ITS partners to retain additional staff to assist in developing a statewide ethics training scheduling and tracking system to identify, schedule and track compliance with ethics training requirements for the entire State executive branch workforce.

The Commission’s Education Unit currently consists of the Director of Ethics, the Deputy Director of Education, the Deputy Director of Learning Innovation, and three Training Associates, reporting to the Executive Director. COELIG is in the process of recruiting a Training Assistant to handle the Unit’s administrative functions.



Committee Meetings

The Commission's Education Committee oversees the performance of the Commission's ethics training responsibilities. Since its formation in 2022, the Education Committee has accomplished the following:

- Presented the Statewide Ethics Training Initiative Plan– a full-scale plan that includes the design and development of a statewide ethics tracking system to notify, track and report agency progress on mandated ethics training.
- Developed the Recommended Training Schedule for Calendar Years 2023 Through 2025.
- Developed an action plan related to Public Hearing Recommendations held at COELIG's Inaugural Public Hearing on March 24, 2023.

The Education Committee's members include Commissioner Claudia L. Edwards, Chair; Commission Vice-Chair Leonard B. Austin; Commissioner Kaylin L. Whittingham, and Commission Chair Frederick A. Davie (ex officio).



QUARTERLY COMPLIANCE REPORT

Mandatory Ethics Training | Second Calendar Quarter 2023

The chart that follows encompasses ethics training information for the second quarter of calendar year 2023 (April 1, 2023 through June 30, 2023):

TOTAL NUMBER OF STATE AGENCIES:	384
Total number of Executive Branch State officers and employees reported as of June 30, 2023:	307,053
Total number of agencies reporting compliance statistics for the reporting period:	372 or 97%
Total number of agencies not reporting quarterly compliance statistics for the reporting period:	12 or 3%
Total number of Executive Branch State officers and employees reported as having participated in ethics training in the reporting period:	36,334
Total number of State officers and employees reported as having participated in ethics training since the inception of the expanded training requirement (July 8, 2022 through June 30, 2023):	81,294

In addition to the statewide ethics training initiative, the Commission also administers and oversees mandatory ethics training compliance by registered lobbyists and lobbying clients beginning with the 2023-2024 biennial period. As part of the Ethics Commission Reform Act

of 2022, the mandated ethics training requirement for lobbyists (principal, individual, and in-house lobbyists) was expanded to include contractual clients and beneficial clients.

As of June 30, 2023, over 9,500 lobbyists and clients are required by the Commission to complete the *'Ethical Standards for Lobbyists and Clients'* online training. The *Ethical Standards for Lobbyists and Clients* training was built using responsive technology that allows users to view the online course utilizing a variety of devices, including desktop computers, tablets, or mobile devices. During the second quarter of 2023, 946 lobbyists and lobbying clients completed lobbying ethics training, representing an 80.52% overall compliance rate. Since the launch of the *'Ethical Standards for Lobbyists and Clients'* online training course, 7,660 lobbyists and clients have completed the mandated lobbying ethics training requirement. Future iterations of the course will incorporate additional completion features.



QUARTERLY COMPLIANCE REPORT

Mandatory Ethics Training | **Third Calendar Quarter 2023**

The chart that follows encompasses ethics training information from the third quarter of calendar year 2023 (July 1, 2023 through September 30, 2023):

TOTAL NUMBER OF STATE AGENCIES:	384
Total number of Executive Branch State officers and employees reported as of June 30, 2023:	303,572
Total number of agencies reporting compliance statistics for the reporting period:	370 or 96.3%
Total number of agencies not reporting quarterly compliance statistics for the reporting period:	14 or 3.7%
Total number of State officers and employees reported as having participated in ethics training in the reporting period:	34,861
Total number of State officers and employees reported as having participated in ethics training since the inception of the expanded training requirement (July 8, 2022 through September 30, 2023):	116,155

In addition, as noted above, the Commission also administers and oversees mandatory ethics training compliance by registered lobbyists and lobbying clients beginning with the 2023-2024 biennial period. As part of the Ethics Commission Reform Act of 2022, the mandated

ethics training requirement for lobbyists (principal, individual, and in-house lobbyists) was expanded to include contractual clients and beneficial clients.

As of September 30, 2023, 10,160 lobbyists and clients are required to complete the '*Ethical Standards for Lobbyists and Clients*' online training. The *Ethical Standards for Lobbyists and Clients* training was built using responsive technology that allows users to view the online course utilizing a variety of devices, including desktop computers, tablets, or mobile devices. During the third quarter of 2023, 670 lobbyists and lobbying clients completed lobbying ethics training, representing an 82.9% overall compliance rate. Since the launch of the '*Ethical Standards for Lobbyists and Clients*' online training course, 8,423 lobbyists and clients have completed the mandated lobbying ethics training requirement.

CETC Ethics Training | Overall Statewide Agency Performance from Inception through September 30, 2023

Total number of Employees	Total number Trained	Percentage of Employees Trained
307,053	116,155	38%

CETC Ethics Training | Agency Performance from July 2022 through June 2023

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Addiction Services & Supports; Office of (OASAS)	961	805	83.70%
Adirondack Park Agency	54	9	16.60%
Aging, Office for the	87	14	16%
Agriculture & Markets, Department of	582	63	10.80%
Agriculture & NYS Horse Breeding Development Fund	1	1	100%
Albany Convention Center Authority	1	1	100%
Albany Municipal Water Finance Authority	2	0	0%
Albany Pine Bush Commission	22	0	0%
Albany Port District Commission	31	0	0%
Attorney General, Office of the (AG)	1904	772	40.50%
Battery Park City Authority	177	105	59.30%
Board of Commissioners Pilots	2	0	0%
Bridge Authority, NYS	128	96	75%
Budget, Division of the (DOB)	298	290	97.30%
Buffalo & Fort Erie Public Bridge Authority	1	0	0%
Buffalo Fiscal Stability Authority	5	5	100%
Buffalo Municipal Water Finance Authority	unknown	0	0%
Cannabis Management, Office of	174	95	54.50%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Capital District Transportation Authority (CDTA)	744	13	1.70%
Central New York Regional Transportation Authority	578	68	11.70%
Central Pine Barrens Joint Planning & Policy Commission	12	4	30%
Children & Family Services, Office of (OCFS)	2979	229	7.60%
City University Construction Fund	6	0	0%
City University of New York Board of Trustees	17	13	76.40%
City University of New York Central Office (CUNY)	1137	48	4.20%
Civil Service, Department of	325	75	23%
Community Supervision, DOCCS	24259	6254	25.70%
Comptroller, Office of the State (OSC)	2783	2555	91.80%
Convention Center Operating Corporation, NY	110	38	34.50%
Correction, Commission of	40	40	100%
Council On Children and Families	20	0	0%
Council On the Arts, NYS	25	15	60%
Court Facilities Capitol Review Board	unknown	0	0%
Criminal Justice Services, Division of (DCJS)	450	394	87.50%
CUNY Baruch College	1216	1140	93.70%
CUNY Bronx Community College	1332	532	39.90%
CUNY Brooklyn College	3000	48	1.60%
CUNY City College of New York	2985	26	0.80%
CUNY College of Staten Island	1814	12	0.60%
CUNY College of Technology, NYC	2600	151	5.80%
CUNY Craig Newmark Graduate School of Journalism	141	53	37.50%
CUNY Graduate College	1859	630	34.20%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
CUNY Guttman Community College	247	95	38.40%
CUNY Hostos Community College	1170	0	0%
CUNY Hunter College	3998	549	13.70%
CUNY John Jay College	1043	152	14.60%
CUNY Kingsborough Community College	2366	2300	97.20%
CUNY LaGuardia Community College	2402	13	0.50%
CUNY Lehman College	1034	966	93.40%
CUNY Macaulay Honors College	69	46	66.60%
CUNY Management - Lag	93	5	5.30%
CUNY Manhattan Community College	3000	40	1.30%
CUNY Medgar Evers College	820	41	5%
CUNY Queens College	2623	700	26.60%
CUNY Queensborough Community College	1617	2	0.10%
CUNY School of Labor and Urban Studies	169	0	0%
CUNY School of Law	218	9	4.10%
CUNY School of Professional Studies	621	12	1.90%
CUNY School of Public Health	214	19	8.80%
CUNY York College	1282	584	45.50%
Development Authority of the North Country	95	95	100%
Developmental Disabilities Planning Council	37	31	83.70%
Domestic Violence; Office for the Prevention of (OPDV)	27	24	85.70%
Dormitory Authority of the State of New York (DASNY)	475	71	14.90%
Education Department, NYS (SED)	2629	2550	96.90%
Election Law Enforcement Unit	10	8	80%
Elections, State Board of (BOE)	106	80	75.40%

Restoring public trust in state government

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Empire State Development Corporation (ESD)	671	254	38.70%
Energy Research & Development Authority (NYSERDA)	404	212	52.40%
Environmental Conservation, Department of (DEC)	3258	1107	33.90%
Environmental Facilities Corporation	104	104	100%
Erie County Fiscal Stability Authority	3	2	66.60%
Erie County Medical Center	3971	1364	34.30%
Ethics and Lobbying in Government, Commission on (COELIG)	41	30	73%
Executive Chamber Executive Department	287	263	91.60%
Financial Control Board, NYS	12	12	100%
Financial Services, Department of (DFS)	1266	288	22.70%
Gaming Commission, NYS	393	84	21.30%
General Services, Office of (OGS)	1675	882	52.60%
Health, Department of (DOH)	4549	1029	22.60%
Higher Education Services Corporation (HESC)	106	75	70.70%
Homeland Security & Emergency Services, Department of (DHSES)	1369	415	30.30%
Housing & Community Renewal, Division of (DHCR)	984	101	10.20%
Hudson River Park Trust C/O ESD	115	93	80.80%
Hudson River Valley Greenways Community Council	5	5	100%
Hudson River-Black River Regulating District	29	26	89.60%
Human Rights, Division of	169	169	100%
Indigent Legal Services, Office of	50	50	100%
Information Technology Services, Office of (ITS)	3268	2639	80.70%
Inspector General, Office of the (IG)	120	309	100%

Restoring public trust in state government

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Insurance Fund, State (SIF)	1840	1236	67.10%
Interstate Juvenile Supervision, State Council for	7	7	100%
Iola Fund	17	17	100%
Judicial Conduct, State Commission On	46	0	100%
Justice Center	512	431	84.10%
Labor Management Committee C/O OER	64	44	68.70%
Labor, NYS Department of (DOL)	3193	2919	91.40%
Lake George Park Commission	20	0	0%
Liquidation Bureau, NYS	128	6	100%
Liquor Authority	146	26	17.80%
Long Island Power Authority (LIPA)	65	25	38.40%
Medicaid Inspector General, Office of the (OMIG)	449	133	29.60%
Mental Health, Office of (OMH)	13372	11252	84.10%
Metropolitan Transportation Authority (Headquarters) (MTAHQ)	71450	2320	3.20%
Military and Naval Affairs, Division of	371	0	0%
Motor Vehicles, Department of (DMV)	3160	31	0.90%
MTA Inspector General's Office	69	51	73.90%
Municipal Water Finance Authority, NYC	9	0	0%
Nassau County Interim Finance Authority	6	5	83.30%
Nassau Healthcare Corporation/ Nassau University Medical Center (NUMC)	3542	614	17.30%
National & Community Service, Commission on	13	0	0%
Nelson A Rockefeller ESP Performing Arts Center Corporation	25	14	56%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Niagara Falls Public Water Board	114	70	61.40%
Niagara Frontier Transportation Authority (NFTA)	1450	140	9.70%
Office of Employee Relations (OER)	65	29	44.60%
Ogdensburg Bridge & Port Authority	46	2	4.30%
Olympic Regional Development Authority	1386	47	3.40%
Parks & Recreation, Office of	3229	1,295	40.10%
People With Developmental Disabilities, Office for (OPWDD)	17700	7,522	42.50%
Police, Division of State	5693	1312	23%
Port of Oswego Authority	23	23	100%
Power Authority of the State of New York	2556	560	21.90%
Public Authorities Budget Office	unknown	0	0%
Public Authorities Control Board C/O DOB	5	0	0%
Public Employment Relations Board (PERB)	30	16	53.30%
Public Service Commission (PSC)	471	127	26.90%
Rochester-Genesee Regional Transportation Authority	925	304	32.90%
Roosevelt Island Operating Corporation	123	45	36%
Roswell Park Cancer Institute	3280	603	18.40%
Soil & Water Conservation Committee	5	5	100%
State Council of the Interstate Compact on Educational Opportunity For	8	0	0%
State University Construction Fund	135	121	89.60%
State University of New York Board of Trustees	16	1	6.20%
State, Department of (DOS)	525	58	11.20%
Statewide Financial System (SFS)	132	66	50%
SUNY Albany	3387	83	2.40%

Restoring public trust in state government

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
SUNY Alfred College of Technology	630	7	0.10%
SUNY at Buffalo	5532	29	0.50%
SUNY Binghamton	3752	1189	31.60%
SUNY Brockport	1200	115	9.50%
SUNY Canton College of Technology	514	295	57.30%
SUNY Cobleskill College of Agriculture & Technology	474	70	14.70%
SUNY College at Buffalo	1428	3	0.20%
SUNY College of Environmental Science & Forestry (ESF)	613	17	2.70%
SUNY Cortland	1288	18	0.20%
SUNY Delhi College of Technology	523	107	20.40%
SUNY Downstate Medical University	3669	72	1.90%
SUNY Empire State College (ESC)	1255	11	0.80%
SUNY Farmingdale	1489	147	9.80%
SUNY Fredonia	800	5	0.60%
SUNY Geneseo	877	224	25.50%
SUNY Maritime College	344	147	42.70%
SUNY Morrisville	508	245	48.20%
SUNY New Paltz	1364	868	63.70%
SUNY Old Westbury	696	2	0.20%
SUNY Oneonta	1113	107	14.90%
SUNY Optometry	350	93	26.50%
SUNY Oswego, State University College at	1349	274	20.30%
SUNY Plattsburgh	879	33	3.70%
SUNY Polytechnic Institute	557	438	78.60%
SUNY Potsdam	701	105	14.90%
SUNY Purchase	1029	112	10.80%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
SUNY Stonybrook	13487	401	2.90%
SUNY System Administration	500	199	39.80%
SUNY Upstate Medical University	8442	937	11.10%
Tax Appeals, Division of C/O TAX	27	26	96.20%
Taxation & Finance, Department of (TAX)	4003	3293	82.20%
Temporary & Disability Assistance, Office of (OTDA)	1854	44	2%
Thoroughbred Breeding & Development Fund Corporation	5	1	20%
Thruway Authority	1724	1344	78%
Transportation, Department of (DOT)	8198	5816	70.90%
Tug Hill Commission	13	0	0%
United Nations Development Corporation (UNDC)	24	21	87.50%
Utility Debt Securitization Authority	4	0	0%
Veterans Affairs, Division of (VA)	97	27	27.80%
Victim Services, Office of	97	63	64.90%
Workers' Compensation Board (WCB)	960	960	100%