



Ethical Times

ETHICS LIGHTS THE WAY TO GOOD GOVERNMENT

A New Year's Reminder From the NYC Conflicts of Interest Board: Ten Points to Keep in Mind During the Upcoming Year

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The NYC Conflicts of Interest Board will provide the full text of any document reported in this issue.

Phone: (212) 442-1400

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Ethics Checklist

Call Your Agency Counsel or The Conflicts of Interest Board Before you . . .

Accept a gift from someone doing business with the City.

*

Work for a person or a firm or own all or part of a firm that does business with the City.

*

Take any action as a City employee that will financially help

you, a member of your family, a business you own or work for, or anyone with whom you have a business or financial relationship.

*

Accept anything from a private person for communicating with any City agency.

*

Use confidential City information for a non-City purpose or disclose it to a private person or firm.

*

Accept anything from anyone other than the City for doing your City job.

Ask a subordinate to work on a political campaign or to make a political contribution.

*

Enter into a financial relationship with a superior or subordinate.

*

Act as a lawyer or expert against the City's interest in any lawsuit.

*

Discuss possible future employment with a firm you are dealing with in your City job.

ENFORCEMENT ACTIONS

BOARD OF EDUCATION EMPLOYEE FINED FOR APPEARING AS AN ATTORNEY ON BEHALF OF HER PRIVATE CLIENT IN A LITIGATION AGAINST THE INTERESTS OF THE CITY.

(COIB v. Wilma Hill-Grier, COIB Case No. 2000-581)

Nov 16, 2001

Board of Education employee Wilma Hill-Grier admitted that she appeared, for compensation, as an attorney on behalf of her private client, in a matter involving the City. In appearing on behalf of her client in a litigation in which the New York City Administration For

Children’s Services was a party, she appeared against the interests of the City. Hill-Grier made five appearances before Family Court and Criminal Court on her client’s behalf. The City’s Charter and the Board’s Rules prohibit public servants from appearing on behalf of

private interests in matters involving the City and appearing against the interests of the City in any litigation to which the City is a party.

Hill-Grier was fined \$700

CONFLICTS OF INTEREST BOARD FINES PUBLIC SERVANT WHO SOLICITED AND OBTAINED DONATIONS TO HIS SONS’ HOCKEY TEAM FROM CONTRACTORS WHO HAD BUSINESS DEALINGS WITH HIS AGENCY

(COIB v. Lawrence King, COIB Case No. 98-508)

Dec 18, 2001

The Board fined a Deputy Chief Engineer for Roadway Bridges at the Department of Transportation (“DOT”) \$1,000 for asking several DOT contractors to place advertisements in a fund-raising journal the proceeds of which would help financially support

the hockey club on which his sons play. Eight of the DOT contractors that Mr. King solicited purchased ad space for a total contribution of about \$975. As a DOT employee, Mr. King worked on matters relating to these contractors and

supervised DOT employees who worked with these contractors. Mr. King stated: “I made an error in judgment by seeking and obtaining donations from contractors whose profits I could affect in my City job. I represent that there was no *quid pro quo* for the donations.”

Ethical Times is published quarterly and can be found on-line at nyc.gov/ethics “Publications”

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Sheldon Oliensis Ethics in Government Award

The New York City Conflicts of Interest Board will present its third "Ethics in City Government" Award at the Citywide Seminar on Ethics in New York City Government next May. The Board recently re-named the award in memory of the late Sheldon Oliensis, the former Board chair who died this past May. Mr. Oliensis' law firm, Kaye Scholer Fierman Hays & Handler LLP, is donating funds to the Board to cover production expenses for the award.

The award recognizes agencies and individuals who advance the goal of Chapter 68 of the New York City Charter, the ethics law for the City of New York, "to preserve the trust placed in the public servants of the City, to promote public confidence in government, to protect the integrity of government decision-making, and to enhance government efficiency" (Charter § 2600). Previous recipients of the award were Mr. Oliensis (November 1999) and the City's Department of Transportation (March 2001).

Candidates for this award should have demonstrated, by word, deed, and example, the importance of integrity in government.

Selection criteria include the following:

- Holding classes on conflicts of interest for agency staff (conducted by COIB or the agency)
- Including information on Chapter 68 in orientation programs for new employees, and making conflicts of interest information and materials, including the Board's training, advice, and enforcement publications, accessible to all staff, either on-line or in writing

- Designating an ethics liaison who serves as a contact for COIB and information resource for agency staff
- Assisting designated staff and COIB with timely and accurate filing of financial disclosure reports

Nominations for individuals or agencies may be sent to Les Taub, Director of Training and Education, COIB, 2 Lafayette Street, Suite 1010, New York, NY 10007; or to Taub@coib.nyc.gov, no later than February 15, 2002. For more information, call 212-442-1421.

Save the Date!

On May 29, 2002, the Conflicts of Interest Board will hold its annual Ethics conference at the New York Law School. CLE credit is granted to qualified candidates.

In this season of gift-giving remember the Gift Giving Rule. Forgot it? Call The Board at (212) 442-1400



NYC CONFLICTS OF INTEREST BOARD

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CITYSHARE

BOARD ADVICE SOARS TO NEW HIGHS

In 2001 the Board has received record numbers of requests for advice, and has issued record numbers of written opinions.

The Board, through its Legal Advice Unit, responds to requests for guidance from incoming, current, and former public servants. These written responses range from the formal, published advisory opinion to the confidential staff letter. During the first eleven months of 2001, the Board received 486 written

requests for advice, an all-time high for that period. During the same period, the Board issued 448 written responses, another record. These numbers are particularly striking because of temporary dips in both requests and outputs in the wake of September 11th.

Of the three formal advisory opinions issued in 2001, two opinions, perhaps not surprisingly in this "term limits" year, involved political activities: Opinion No. 2001-1 on high level appointed officials

seeking elected office, and No. 2001-2 concerning community school board members running for City elective office. The final opinion, No. 2001-3, concerned the outside practice of law, both compensated and *pro bono*, of public servants.

The Board is encouraged that more public servants are seeking its advice, because our primary goal is to prevent conflicts of interest from occurring.