

ASK THE CITY ETHICIST

Getting the Word Out and Keeping It Moving

By
Alex Kipp

A lot of our articles in Ask the City Ethicist have examined the restrictions under Chapter 68 and how they apply in real life situations. This article is a little different in that it addresses ethics messaging in your organization and how COIB's Training & Education Unit might be able to help you do it. Some of the things mentioned below are things you could be doing and some are things you **MUST** be doing. Let's start with the **MUST** part.



Changes to Chapter 68 enacted in 2010 as a part of the Charter reform process make training in Chapter 68 mandatory for all employees of all City agencies every two years. If your agency hasn't had COIB training in the last two years, that probably sounds like bad news. The good news is that COIB has a small team of professional trainers who are willing to go anywhere, any time to get your staff trained. And no agency is too big or small for us. Just this last year, we taught over 500 classes. We trained the entire staffs of ACS, City Council, DFTA, DHS, TRS, the Bronx DA's Office and the Manhattan DA's Office, just to name a few. If your agency needs training, click [here](#) to start that conversation.

An hour of training in Chapter 68 once every two years is the bare minimum that an agency **MUST** do. In the class, we have the luxury of time to unpack the law and go over the basic restrictions.

Moreover, that discussion also weaves in some larger points:

- 1) Public service is a public trust. That trust requires public servants to be mindful of both the reality and perception of integrity in their actions.
- 2) While important, the conflicts of interest law is not supposed to be a trap for public servants. Conflicts of interest can occur even when a public servant has the best of intentions. Therefore asking for advice can be crucial. The Board provides this confidential service free of charge.
- 3) While much of the law is common sense, some of its restrictions are not intuitive. Also, many conflicts questions are about process – how to deal with the

conflict, how to disclose it, how to recuse, how to complete the proper paperwork, etc.

4) Violations are taken seriously and are prosecuted.

Getting your staff trained is the first important step in building a culture of awareness, but there's plenty more an agency could do to keep the message alive. It is well known that retention of information is enhanced by multiple exposures to that information over time, as opposed to experiencing it in only one long exposure. The goal of supplemental messaging is not to repeat the class, but to provide quick reminders of the class content that reinforce some combination of the above four points. Public servants don't need to become experts in the law. Nor do they need to think about ethics every moment of their workday. They're busy fulfilling your agency's mission. Compared to that, Chapter 68 is the "small stuff." But the busier one gets, the more one tends to "not sweat the small stuff," and that's when accidental violations are the most likely to occur. Supplemental messages are meant to keep Chapter 68 in the frontal lobe just enough to prompt a public servant to remember to ask questions. We think a little can go a long way.

What We Can Offer

In addition to the many plain language publications available on the Board's website, we offer a number of kinds of messages that are distributed on a monthly basis.

-Enforcement Dispositions – A finding of a violation of Chapter 68 usually carries a civil penalty and a public disposition where the respondent admits he or she violated the law. When the disposition is finalized, COIB sends out a press release summarizing the facts along with a copy of the disposition – usually about 6 pages total – by email. These dispositions are a great way to remind public servants about the consequences of violating the law and show the kinds of ways the law gets violated. Click [here](#) to be added to the enforcement disposition distribution list.

-The Ethical Times – The newsletter you're reading right now is published once per month and distributed electronically. It contains an article that examines some facet of the Conflicts of Interest Law and summaries of recent enforcement cases. Click [here](#) to be added to the *Ethical Times* distribution list.

-Video – *Ethics Express: Conflicts of Interest in Five Minutes or Less* – Every month, COIB releases a new 5-minute video clip where two COIB panelists discuss an aspect of Chapter 68. Click [here](#) to be notified when new videos are released. Click [here](#) to see the first installment on political activities.

-Training Video – *It's All About Ethics* – COIB has a 25-minute training video involving short scenes between two colorful characters, accompanied by

commentary. The video can be seen in segments [here](#). If you'd like your very own DVD copy, click here.

-Poster – A full-color cartoon poster, approximately 14"x22", with basic information about the Board included. Click [here](#) to order your own copy. Please specify the number you'd like.

AND, if you'd like to subscribe to the whole package, click [here](#).

None of these materials is meant to make for a big time commitment. But just a few minutes a week might make a big difference between a regular conflicts question and a big conflicts problem. So help us maintain awareness. You can sign yourself up for any or all of these. And if you're a supervisor, you can push it out to your team. Integrity in City government is everyone's business.

*Alex Kipp is Director of Training & Education at the
New York City Conflicts of Interest Board*

"Ask the City Ethicist" is written monthly by the staff of the New York City Conflicts of Interest Board. "Ask the City Ethicist" is provided as general information, and should not replace the text of Charter Chapter 68. For legal advice on City ethics matters, please call the Board at 212-442-1400. All calls are confidential. You may call anonymously if you wish. <http://nyc.gov/ethics>.