

ASK THE CITY ETHICIST

#22: Fundraising Heads-up

by

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The following is a roundup of some of the most frequently asked questions by public servants who want to participate in fundraising activities.

Question: I'm a City employee and I would like to raise money for my child's soccer team. Any conflicts of interest problem?

Answer:

That depends. If you are simply making calls from home, and are only calling, for example, other parents and a few local merchants, this would be OK. The problems arise, like in most conflicts matters, if you start to mix your personal business with your City job.

Question: So what kind of problems should I look out for?

Answer: Here are some of the things to avoid...

- Don't use your City title or City letterhead. So, for example, you may not call the local merchants and say "I'm a City inspector and I'm raising money for my child's..."
- Don't use the resources of your City office. If you need to make 100 copies of the flyer for the fundraiser, you may not use the copier in your office.
- Don't call people with whom you deal in your City job. For example, if you are a contract analyst at a City agency, you may not call the people whose contracts you oversee. Or, if you are an inspector, you may not call the people whose businesses or properties you inspect.
- Don't solicit from your City subordinates. For a school principal, for example, this means no soliciting from anyone working in your school. For the head of a unit or division, you may not solicit from anyone in your unit or division. And don't forget, these prohibitions apply even to the best of causes. So if you are the boss and you plan to ride your bike for a charity's fundraiser, you can't ask your subordinates to pledge money for your miles.

Question: You said that I can't solicit subordinates. What about the other people I work with?

Answer: For your superiors, the Conflict of Interest Board has placed a \$25 limit on what you may solicit. So, if you are selling chocolates or holiday wrapping paper for your child's school, your boss may buy no more than \$25 worth. For your colleagues, however, meaning people who are neither your superior nor your subordinate, there is no limit.

Question: Great! So I can set up shop at my City office and sell this stuff through the holiday season?

Answer: Not so fast. There is a rule of reason here. Taking a few minutes out of a day to ask your colleagues if they want to buy something is different from running a full-time fundraiser from your desk. In fact, to prevent abuses, some City agencies and offices may choose to forbid this activity in the office altogether.

Question: Anything different if I want to raise money for a political campaign?

Answer: Besides all the above restrictions (no use of City title, letterhead, resources, etc.), the rules are even stricter. State law forbids political fundraising in public buildings. Also, you must be very sure never to request a subordinate to make a political contribution. Finally, certain high-ranking appointed City officials may not ask *anyone* to contribute to a candidate for City elective office or to the campaign of any current City elected official running for any office.

Question: I'm sure that I'll have more questions when something new comes up. What should I do?

Answer: If you have any questions, ask before you act. You may call the Conflicts of Interest Board at 212-442-1400 and ask for the attorney of the day. You can also email us through our website (<http://www.nyc.gov/ethics>) by clicking on "Contact COIB." All calls and emails are confidential, and you may contact us anonymously.

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