



Job Hunting: the Ethics Rules

Basic Rule

YOU MAY NOT SEEK A JOB WITH ANY FIRM THAT YOU ARE PERSONALLY INVOLVED WITH IN YOUR CITY JOB.

In other words:

You may **NOT** send them your resume, ask them about any openings, or even discuss the possibility of your leaving City service. This type of networking is prohibited because of the potential questions of integrity that will occur when you are executing official functions with the entity and are simultaneously trying to secure a financial benefit (the job) for yourself.

“Personally Involved”—what does that mean?

This means that you yourself are involved with the firm on a particular matter. Just because your agency or office is involved with the firm does not make *you* involved with the firm. But if you have **ANYTHING** to do with the firm, then you should assume that the rule applies. For example, if you sign any documents, such as a purchase order or contract, involving the firm, then you are personally involved with the firm.

Other Firms That May be Related

This rule applies not only to the specific firm you are dealing with but also to its parent firm, subsidiaries, and sister firms. So, for example, if you are dealing with a firm in your City job and want to approach another firm, it is **YOUR** responsibility to find out if the two firms are connected.

Other Issues in Job Hunting

Using Headhunters

If you use a headhunter, the same rules apply. So if you are not allowed to talk to a firm or send it your resume because you are dealing with the firm in your City job, then your headhunter may **NOT** talk to the firm on your behalf or send it your resume. Thus, you will need to tell your headhunter to refrain from sending your resume to companies with which you deal in your City job.

Dealing with Other Government Agencies

The rule does **NOT** apply to other government agencies, such as New York State or the federal government, or other City agencies. So, for example, if your City job requires you to work with a state agency on a project, you may still seek a job with that state agency.

Use of Resources

Your job search **MUST** be done on your own time, and you may not use your City position (or City letterhead, personnel, equipment, or supplies) to promote your job search. For example, do **NOT** use a City fax machine to fax your resume.

WHAT TO DO

If you are involved with a firm and you want to approach them about a job, you **MUST** either:

- (1) Have your supervisor remove you from dealing with that firm *before* you approach them, *or*
- (2) Wait until your work with the firm is over.

If the firm approaches you, tell them you cannot talk to them – and then, if you are interested, get yourself taken off the matter or wait until your involvement with the matter has ceased.

Make sure before you take a new job that your new private-sector employer knows that after you leave City service you:

- (1) cannot communicate with your old agency for one year after you leave it;
- (2) can **NEVER** work on a matter that you worked on personally and substantially in City service; and
- (3) cannot reveal confidential City information.

PENALTIES

If you violate these rules, the Conflicts of Interest Board may fine you up to \$25,000 per violation. In addition, the law contains a ‘disgorgement’ provision, under which the Board may require a person who profited from violating the Conflicts of Interest Law to pay all of the profits to the city. The Board can also void any contracts that were awarded in violation of these restrictions. So get advice if you have any doubts.

WHERE TO GET ADVICE

Contact your agency counsel or the Conflicts of Interest Board. All calls to the Board are confidential, and you may call anonymously.

FOR ADDITIONAL INFORMATION, CONTACT

**NEW YORK CITY CONFLICTS OF INTEREST BOARD
2 LAFAYETTE STREET, SUITE 1010
NEW YORK, NY 10007
212-442-1400 (TDD 212-442-1443)**

***OR VISIT THE BOARD’S WEB SITE AT
<http://nyc.gov/ethics>***