

# THE VOICE OF ETHICS

A Publication of the  
Ohio Ethics Commission

Summer 2015 Edition

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# Question of the month!

*Are there any limits on a public employee who is seeking a new job?*

Yes. The Ethics Law prohibits anyone in public service from using their position to solicit or obtain a new job from an “improper” source. An improper source is anyone that is:

- Regulated by the public employee’s agency;
- Doing or seeking to do business with the agency; or
- Interested in matters before the agency.

For example, a public employee cannot seek a job with the very company he or she regulates on behalf of his/her agency. Under the Ethics Law, a new job is a substantial “thing of value” that cannot be pursued from an improper source.

However, there is an exception from this prohibition if the public employee can and does completely withdraw from any matter involving the entity with the available job. In order to pursue such a job opportunity, the public employee would need to approach his/her supervisor and/or the agency’s legal office before applying for the job. If the agency officially removes the employee from all matters related to that entity, the job opportunity can be pursued.

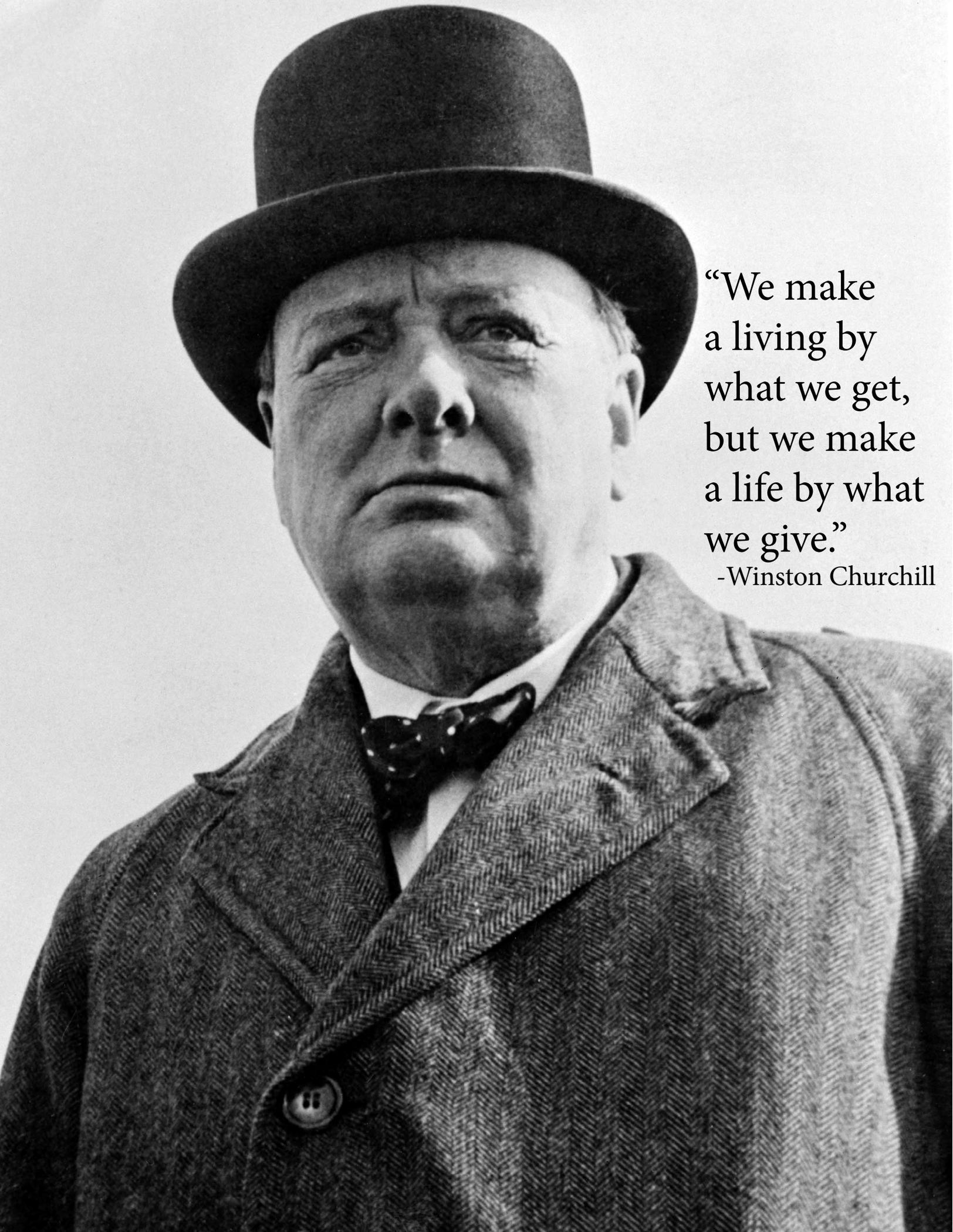
Be aware that the public agency is not obligated to remove someone from such projects/matters to allow the public employee apply for a job. If the agency does not agree to remove the public employee, he/she cannot pursue the job from the improper source as described above.

It is important to note that the public employee could not simply ask a co-worker or someone on his/her staff to cover the assignment. If the agency agrees to remove the public employee and he/she gets the job, the public employee must withdraw from anything dealing with that entity for the remainder of his/her time at the agency.

If the public employee applies for the job, but does not get it, the agency can choose to return him/her to the project/matters related to that entity.

A final note: a public agency cannot create a policy or rule that is less restrictive than the Ethics Law. However, an agency may have a policy or rule that is more restrictive. Questions? Contact the Ethics Commission!





“We make  
a living by  
what we get,  
but we make  
a life by what  
we give.”

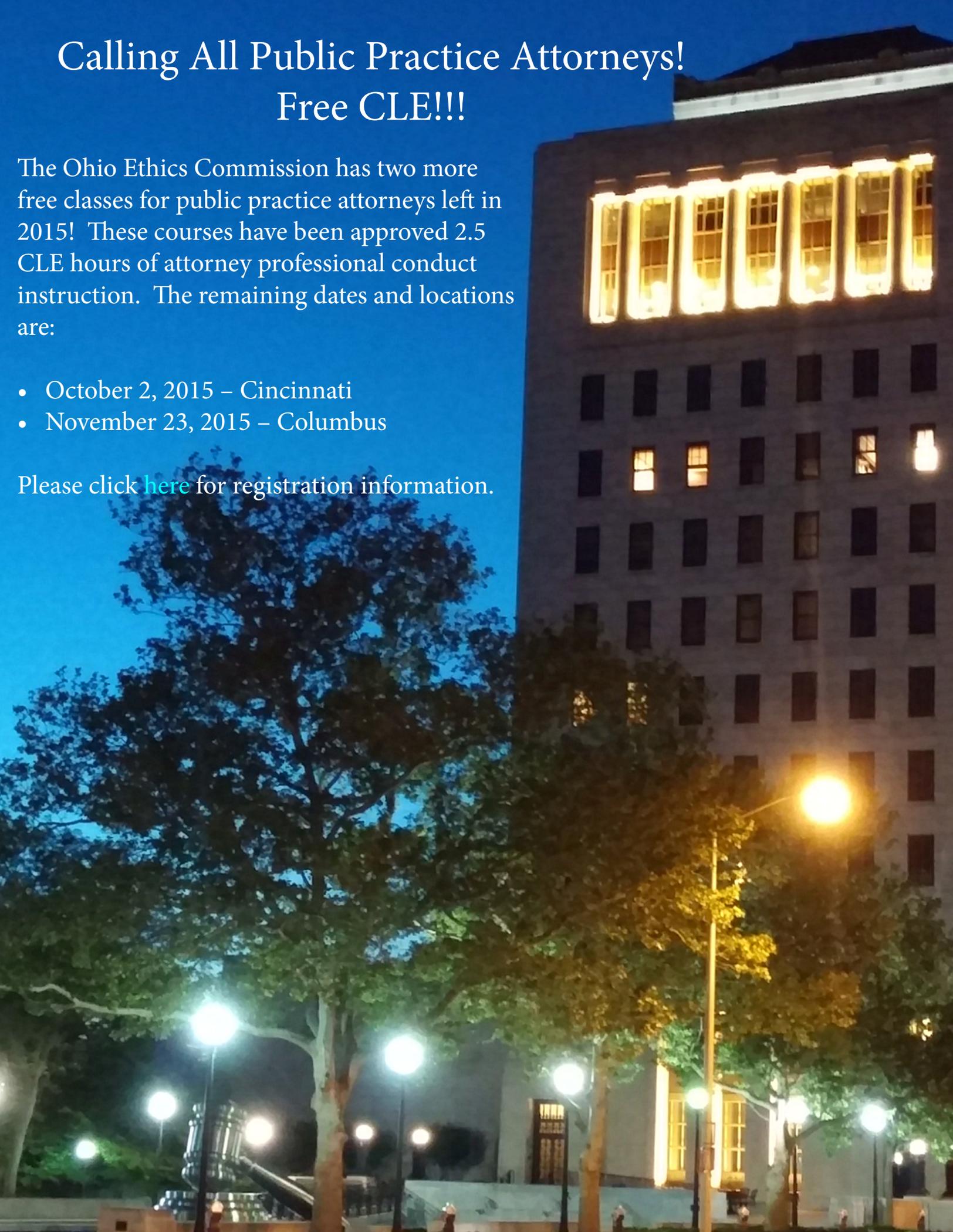
-Winston Churchill

# Calling All Public Practice Attorneys! Free CLE!!!

The Ohio Ethics Commission has two more free classes for public practice attorneys left in 2015! These courses have been approved 2.5 CLE hours of attorney professional conduct instruction. The remaining dates and locations are:

- October 2, 2015 – Cincinnati
- November 23, 2015 – Columbus

Please click [here](#) for registration information.



# Need Ethics Training? Look no Further!

Has your agency, municipality, or department considered employee training about the Ethics Law? If so, the Ethics Commission has several options to offer!

- **E-Courses** – completed when you want at the convenience of your own desk!
- **Webinars** – a live and interactive training without travel!
- **Classroom setting** – still three more regional trainings left in 2015!
  - September 1, 2015 – Columbus
  - October 2, 2015 – Cincinnati
  - December 11, 2015 – Columbus
- Live speaker at your location – if you have at least 75 attendees, we'll come to you! Email [susan.willeke@ethics.ohio.gov](mailto:susan.willeke@ethics.ohio.gov) for more information!



# 2015 Targeting Fraud – Safeguarding Integrity Conference

Wednesday, November 4 & Thursday, November 5, 2015  
Columbus, Ohio

In observance of National Fraud Awareness Week ... Franklin University, National White Collar Crime Center, Ohio Ethics Commission, Ohio Inspector General, and Ohio Investigators Association have collaborated together to present a two-day training conference: Targeting Fraud – Safeguarding Integrity. This conference will examine the investigative process of uncovering fraud and explore a wide spectrum of subjects, including the topics of ...

- Investment fraud in the digital age;
- Cybersecurity, scams, & the internet;
- Cargo theft and organized crime in Ohio;
- The role of online social media in predicting & interdicting spree killings;
- An examination of the actual FBI investigation of Jordan Belfort, the “Wolf of Wall Street,” presented by Gregory Coleman, the FBI Special Agent responsible for the criminal investigation.



[Click Here](#)  
to register for the conference.

Cost & Deadline: Early registration before October 1, 2015: \$100  
On or after October 1, 2015: \$125

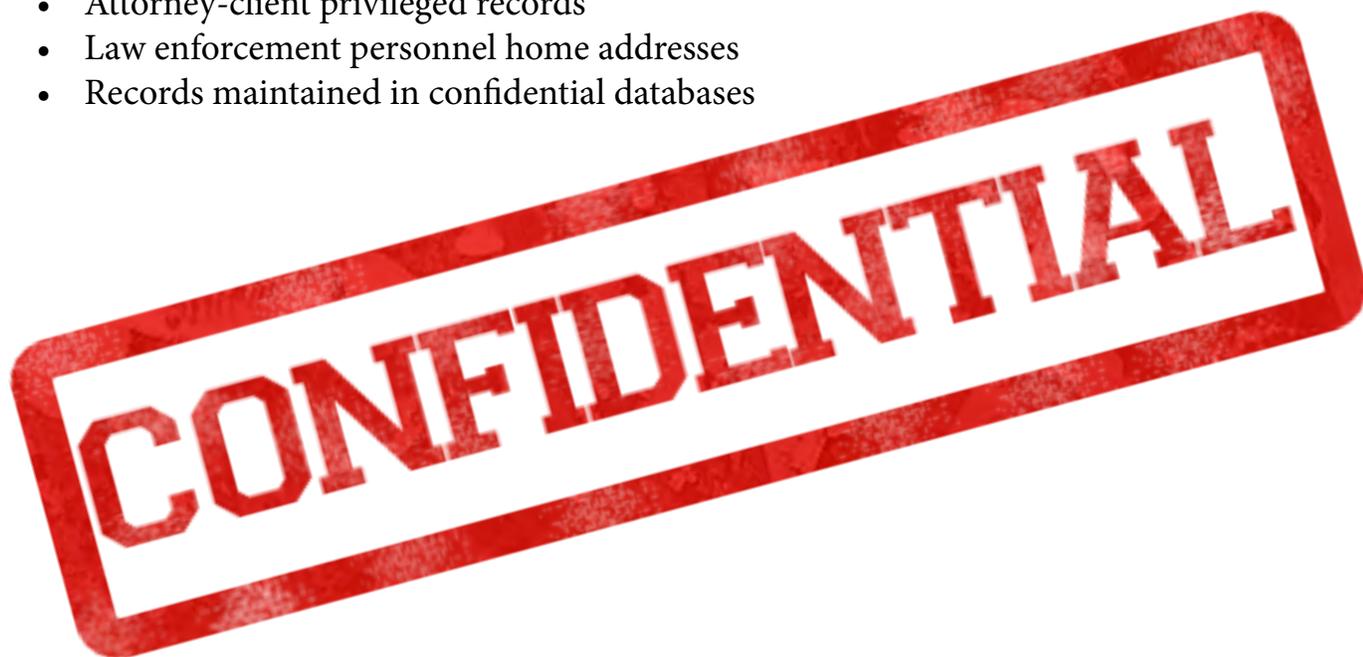
The conference sponsors are seeking approval for **Continuing Professional Education (CPE) credit** from the Accountancy Board of Ohio and **Continuing Legal Education (CLE) credit** from the Supreme Court of Ohio.

# SSHHHHH! That's Confidential!

In the course of performing their public duties, many public officials and employees encounter or have access to information that is confidential. Under the Ethics Law ([R.C. 102.03\(B\)](#)), information may be confidential because of statutory provisions or because a public agency has deemed it necessary to keep it confidential.

Some examples of confidential information could include:

- Medical records
- Attorney-client privileged records
- Law enforcement personnel home addresses
- Records maintained in confidential databases



While it is necessary for certain public employees and officials to access confidential information, it is important to understand that the Ethics Law prohibits a public official or employee from using or disclosing confidential information without proper authorization.

This restriction does not have a time limit. Anyone who has left public service – for any reason – continues to be subject to this confidentiality provision of the Ohio Ethics Law. For example, a state investigator may not release to a friend or an outside employer any information about a person obtained from a confidential state database. Even after the investigator leaves the agency, he or she would continue to be restricted from disclosing this confidential information. Violations of this section are first degree misdemeanors subject to criminal penalties.

For additional information regarding what constitutes confidential information for your agency, please consult your agency's legal counsel.



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**Questions? Concerns? Need more information? Contact us!**