

THE VOICE OF ETHICS

A Publication of the Ohio Ethics Commission

2019 Quarter 4

Happy New Year
2020



Gifts



Crooner Andy Williams once declared that this is “The Most Wonderful Time of the Year!” And we agree that holiday shopping, eating, and visits with family and friends are joyful ways to end the year! However, the Ohio Ethics Commission also wants to remind those in public service of some gift-acceptance restrictions under the Ohio Ethics Law.



The Ethics Law prohibits a public official or public employee from soliciting or accepting anything of value that could have a substantial and improper influence on the performance of public duties. Nominal or very inexpensive gifts such as a coffee mug, tin of popcorn, or t-shirt are not considered substantial. These types of minor gifts are not prohibited under the Ethics Law, though you may still choose to decline them to avoid even the appearance of impropriety.

Examples of items that the Ohio Ethics Commission has identified as having “substantial” value, however, include: tickets to theater or sporting events, vacations, expensive meals, and golf outings. If you are ever offered a substantial gift, you must identify the giver or source to determine whether it is acceptable. Improper sources of substantial gifts include anyone doing or seeking to do business with, interested in matters before, or regulated by your public agency.



What if the gift doesn't influence me?

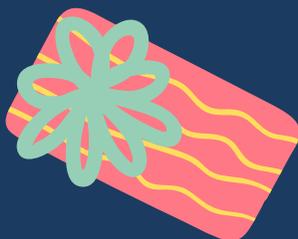


One of the questions often posed to the Ethics Commission regarding gifts is: "But what if the holiday gift doesn't influence me? What if I can accept the gift and still carry out my job duties accurately and fairly?"

Please be aware that the Ethics Law is not a bribery statute. The Ohio Ethics Law does not replace, but rather supplements, bribery prohibitions. A conflict of interest exists when a public employee is in a position where he/she could misuse public authority. The Ethics Law exists to protect the public from the potential for abuses of power or authority. A public employee or official may still have illegally accepted a gift even if he or she does not change an outcome as a result. People in public service cannot accept or solicit substantial things of value from improper sources, regardless of whether or not they alter their behavior after accepting a gift.

It's also important to be aware of an area of the law known as unlawful Supplemental Compensation. Public employees and officials can never accept compensation for doing our jobs from anyone except our own public employers. So even if a gift is nominal in nature, if it is given to compensate someone for doing a public job, then the gift must be declined.

Have Questions?



[Gift Bulletin](#)



[Gift Info Sheet](#)



Contact us at
(614) 466-7090



If your agency requires that you participate in a training regarding the Ohio Ethics Law session by the end of the year, then the countdown to midnight has begun!

For example, state employees are currently required per Executive Order 2019-11D to participate in some form of annual Ethics training. In addition, some local government agencies have internal training policies that require a yearly training session regarding the Ethics Law.

So, before you pop that bottle of champagne on December 31, here are some Ethics Law training options for you!

On December 5, the Ohio Ethics Commission will conduct its final "regional" training of the year, to which anyone in public service is invited.

[Training Registration](#)

The final webinar of 2019 will be conducted December 11 at 10 am.

[Webinar Registration](#)

Our annual e-course is available online 24/7, so log in and end the year on an ethical note!

[2019 E-Course](#)

Special note for attorneys: our webinar and e-course are approved for one hour of general CLE, and the regional training is approved for 1.5 hours!

We Want to Hear from You!

2020

Although it feels like 2019 just began, we are already planning our newsletters for 2020! And we'd love to hear what's on your minds? What questions do you have about the Ethics Law? What articles would be helpful in the New Year? We'd be honored to address some of the questions or concerns you have in 2020, so email susan.willeke@ethics.ohio.gov with any suggested stories or issues you'd like to hear more about next year!

And stay tuned! The Ohio Ethics Commission will be releasing its first electronic Annual Report in 2020!

If this newsletter was forwarded to you, you can sign up to receive it electronically each quarter by submitting your e-mail address [here](#).

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