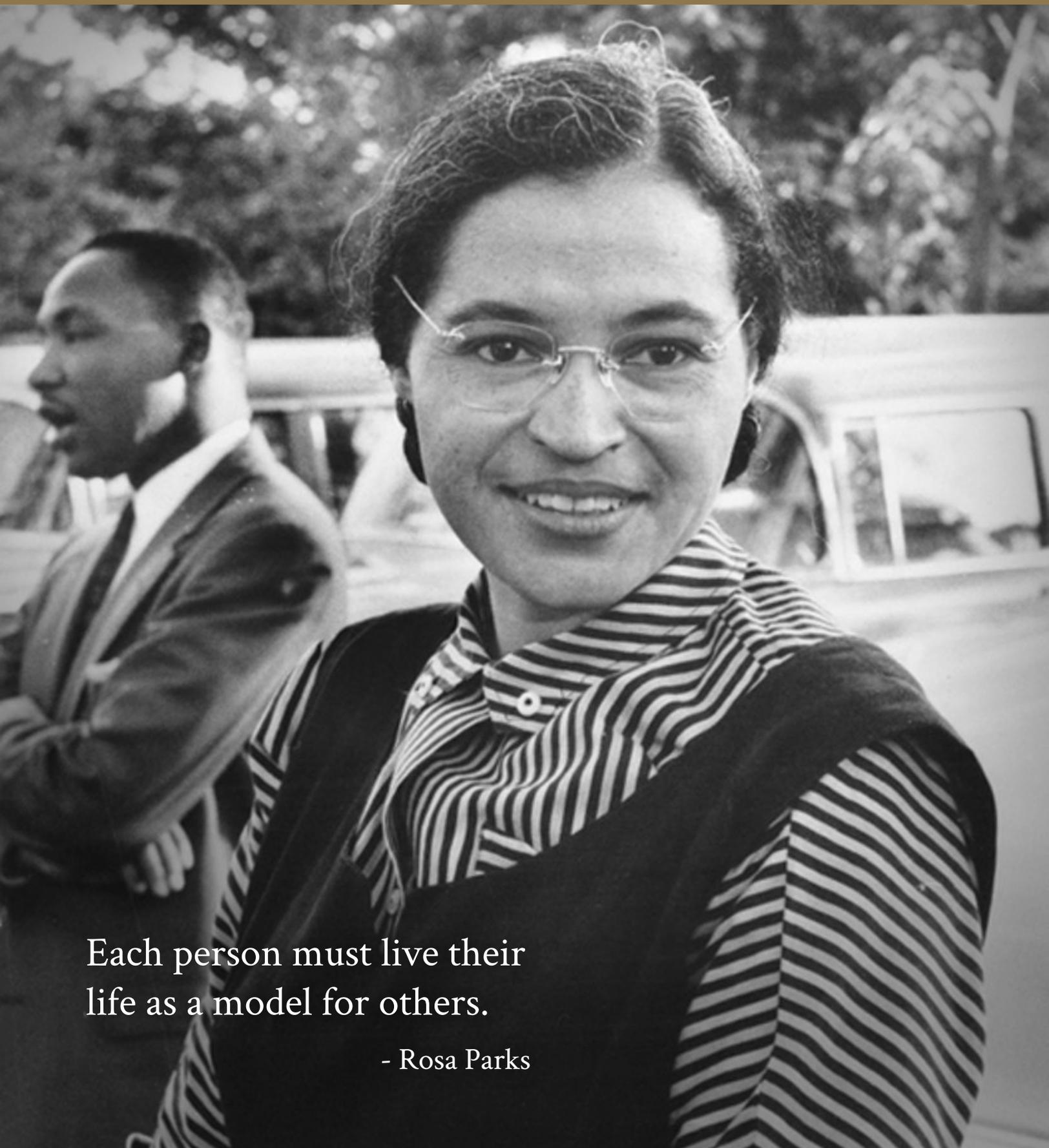


# THE VOICE OF ETHICS

A Publication of the Ohio Ethics Commission

2020 Quarter 1



Each person must live their  
life as a model for others.

- Rosa Parks

# 2019 at the Ohio Ethics Commission: Productive and Busy!

## Advisory Opinions

The Ohio Ethics Commission has statutory authority to provide guidance to both the public and private sectors. These efforts help those who are subject to the law better understand and comply with the Ohio Ethics law, which, in turn, protects the public from government wrongdoing.



In 2019, the Commission's two staff Advisory Attorneys put their "noses to the grindstone" to respond to:

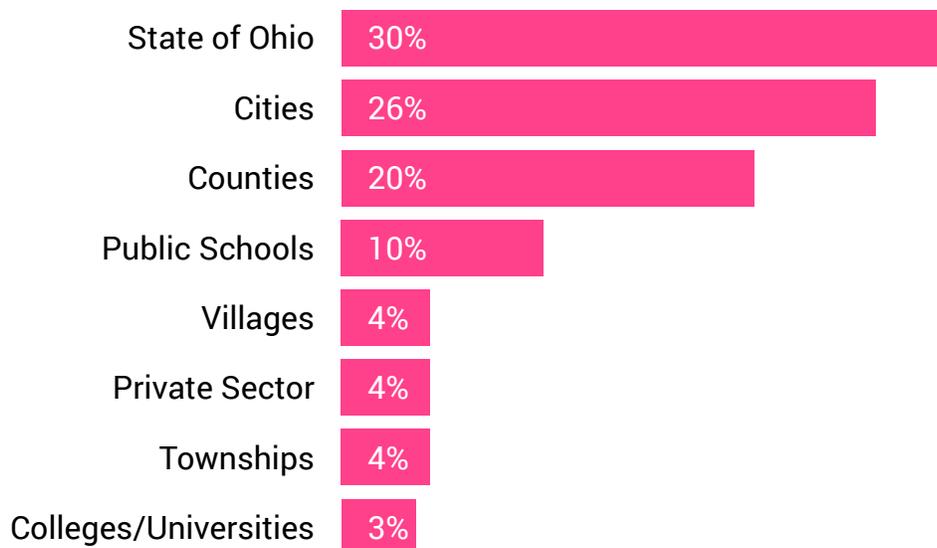
- 254 written requests for opinions
- Nearly 3,200 e-mails from people seeking guidance
- Approximately 2,400 telephone inquiries seeking guidance

The requests for advice and guidance came from all sectors of the state, including cities, counties, villages and townships. Some of the common issues the Advisory Attorneys addressed included:

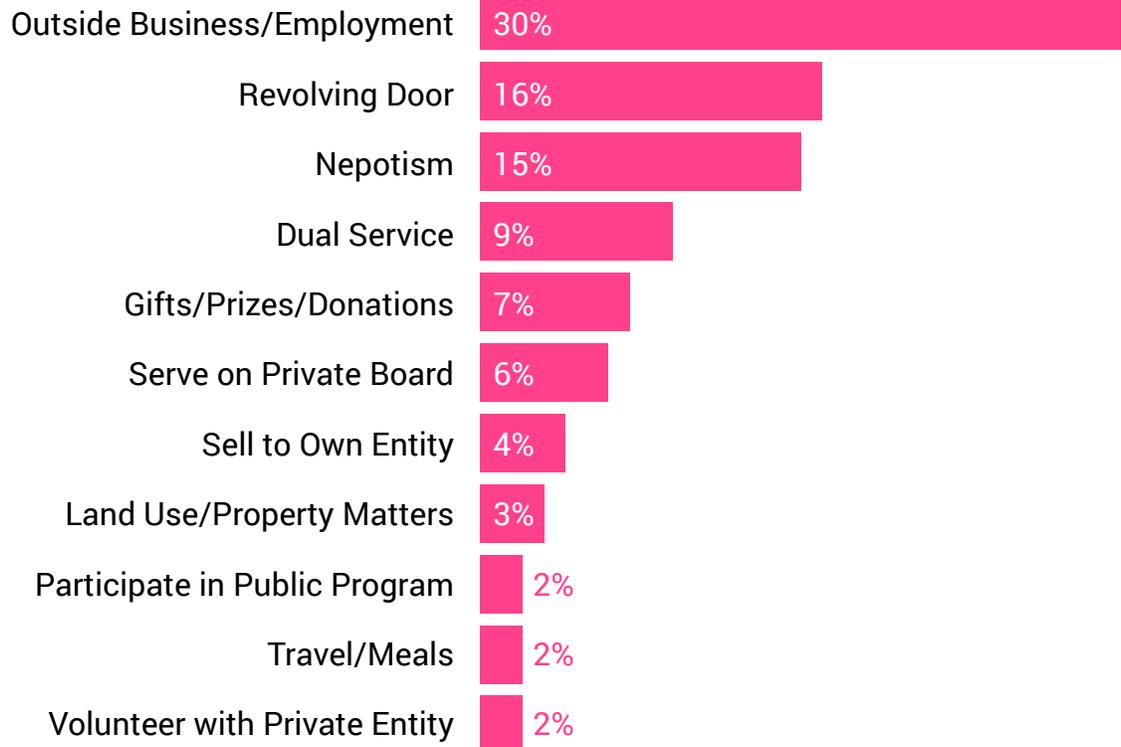
- Dual Public Service
- Private Outside Employment
- Nepotism and Public Contract Restrictions
- Post-Employment Issues

The charts below represent the types of entities requesting written advice and the types of questions the Commission received in writing. Once again in 2019, all written requests were issued within 15 days of receiving the request!

### Entities Requesting Written Advice



## Commonly Requested Advice



## Financial Disclosure

Each year, the Ohio Ethics Commission administers the financial disclosure program which was designed to assist public servants in identifying potential conflicts of interest and provide citizens greater awareness of the financial interests of the officials and employees who serve them.

In 2019, the Commission continued to fulfill its statutory duty of administering the financial disclosure program which included receiving more than 9,000 statements with 90 percent of these filers using the Commission's online filing system.



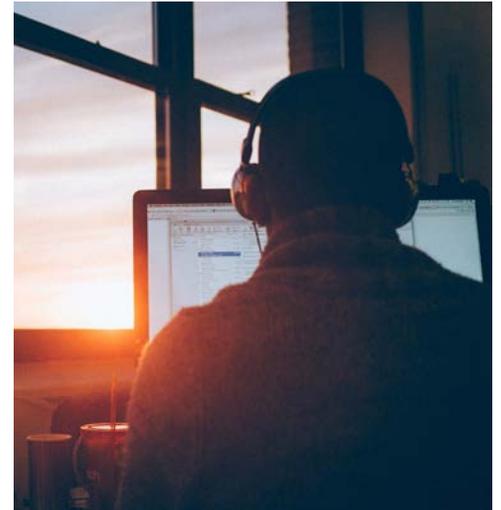
[Click here for more information on Financial Disclosure and the online filing system.](#)

## Ethics Education

The Education and Training staff at the Ohio Ethics Commission seeks to turn complex legal requirements and prohibitions into easy-to-understand (and, dare we say, fun?) training opportunities. Thousands of learners took advantage of the numerous options offered by the Ethics Commission to learn more about the Ethics Law. In fact, the Commission conducted 208 public appearances in 2019 to more than 18,000 people and 11 webinars with 1,600 electronic attendees! The feedback from these efforts indicates that ethics training doesn't have to be tedious or dry! Here are some of the comments we received in 2019:

### Webinars

- + I don't typically provide feedback, but I truly thought your webinar was very well done and felt you should know that. It's a tendency in today's world to take all the time in the world to be critical of others (i.e. online blogs, etc.), but not to take the extra effort to be kind to others and let them know how much benefit they provided. Again, wonderful job!!!!
- + Thank you for presenting this webinar on Ethics. Not only was it very well presented, but you kept it interesting and fun. Most webinars are very, very dry and boring. Yours was very "light" and fun using REAL examples to get the point across. Thank you again for this.



### "Live Sessions"

- + THANK YOU again for your presentation. Can't believe how much fun and engaging you made such a topic.
- + I just wanted to thank you for a terrific presentation. You are so engaging, funny and real; you made an important but sometimes dry topic very memorable.
- + I look forward to this presentation every year because it is a great reminder of the Ethics Laws and informs us of any new items that we need to know. I appreciate the creative way the information is presented and helps me to related to the circumstances and valid points that we all need to understand and remember.
- + Outstanding! The most worthwhile talk I have ever attended! Incredibly engaging and easy to understand!



## E-Course

- + Just took the web training for the first time. Very well done! One of the most entertaining mandatory courses I've taken in a long time.
- + I just had an opportunity to preview the 2019 Ethics course. You all did a fantastic job on this! The production is top notch, and I really like how you've made the content relatable, humorous, and easy to understand.
- + This is the most visually effective training program I've seen so far. You effectively included me in the presentation's subtleties better than any other online training I've witnessed.



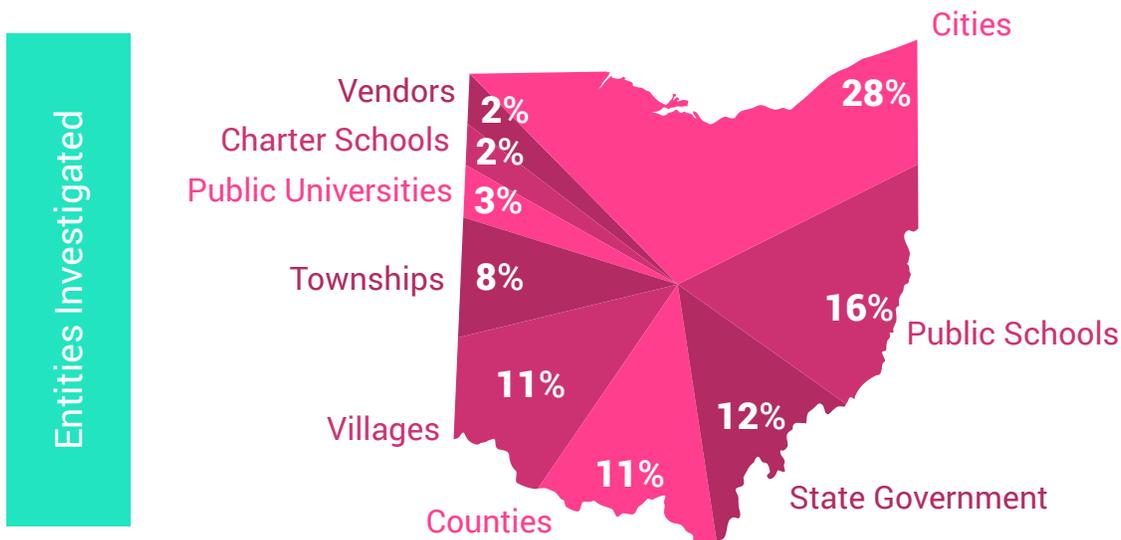
**Interested in training opportunities in 2020? See the related article in this newsletter!**

## Investigations

The Ohio Ethics Commission is also statutorily charged with investigating alleged violations of the Ethics Law and refers cases supported by substantial evidence for prosecution or alternative resolution.

In 2019, there was a total of 174 cases investigated with Investigative Staff responding to 1,059 telephone investigative inquiries and processing 501 information requests or allegations of wrongdoing. The Commission formally opened 81 new investigations in 2019 with 58 being closed, including settlement and censure cases. (Some of the case closures were carried over from 2018).

Common investigations included: outside business/employment violations (30%), public contracts (including nepotism) violations (18%), and conflict of interest violations (18%).



# Training that Gives 20/20 Ethical Vision!

Are you seeking training on the Ohio Ethics Law? Are you *eyeballing* new ways to apply the statute to your public role? Do you have *your eyes* on fun options to meet Ethics Law training requirements?

Then *look* no further! The Ohio Ethics Commission has set its gaze on effective and fun ways to complete training on the Ohio Ethics Law! Take a *glimpse* at some of the ways you can learn about the Ohio Ethics Law this year!

## On-Site Training



If you find direct interaction and an opportunity to ask questions the best way to learn, our on-site “live” ethics education sessions might just be what you prefer. These courses are provided to state and local governments all around Ohio and are provided free of charge. Please note that we reserve travel for speeches with larger groups, so if your office/agency is outside the Columbus area, we request a minimum of 75 attendees to conduct a live presentation. To schedule a speaker or to discuss other appropriate options, please contact Susan Willeke at the contact information below.

## E-Course: “Ohio Ethics Law 20/20”



For the public employees and officials whose schedules simply don’t allow in-house training, the Ohio Ethics Commission provides an extremely convenient and cost – effective e-course. Our latest e-course is available on our website and can be accessed 24/7. The e-course provides an overview of the Ethics Law and provides proof of completion at the end of the course.

Note for state employees and officials: this e-course meets the annual training requirement as outlined in the Governor’s Ethics Executive Order 2019-11D for both financial disclosure filers and non-filers alike. We are also pleased to announce to attorneys that this year’s e-course was once again approved for one general hour of self-study CLE!

[Click here for the Ohio Ethics Law E-Course](#)

## Webinars



A training offering provided by the Ethics Commission that continues to grow in popularity is the live webinars! The webinars also provide an electronic overview of the Ohio

Ethics Law with the option of interacting with a live trainer.

For public practice attorneys, the webinars are approved for one hour of general CLE.

Wednesday, March 18	10 AM
Wednesday, April 15	2 PM
Thursday, May 14	10 AM
Monday, June 15	10 AM
Thursday, July 16	2 PM
Tuesday, August 18	10 AM
Friday, September 18	10 AM
Wednesday, October 14	2 PM
Thursday, November 19	10 AM
Tuesday, December 15	10 AM

[Click here for Webinar Registration](#)

## Regional Sessions



For those agencies that may not be able to host a training session but have staff or board members who prefer a “live” classroom setting, we provide “Regional Trainings” around the state. These classes are open to all public officials and employees who would like to know more about the Ohio Ethics Law. All state, county, city, township, and village officials and employees are welcome to attend!

For state officials and employees, these classes fulfill your Ethics Law training requirement under the Governor’s Executive Order. As an added bonus for public practice attorneys, these courses have been approved for 1.5 hours of general CLE instruction.

Please join us for these free and interactive discussions on the Ohio Ethics Law! All classes are from 10 - 11:30 AM on the following dates:

Columbus	Tuesday, May 5
Perrysburg	Wednesday, May 20
Cleveland	Friday, June 26
Cincinnati	Friday, October 2
Columbus	Tuesday, October 20
Columbus	Thursday, December 3

[Click here for Regional Session Information](#)

Questions? E-mail [susan.willeke@ethics.ohio.gov](mailto:susan.willeke@ethics.ohio.gov)  
or call (614) 466-7090

## Advisory Section is Already Out of the Gate in 2020!



The new year started off on a strong advisory note, as the Ethics Commission issued Advisory Opinion 2020-01 at its January meeting.

The formal advisory opinion addresses whether public employees and officials are prohibited from accepting bequests from estates.

“The Ohio Ethics Law prohibits public servants from accepting supplemental compensation for the performance of their public duties,” said Executive Director Paul M. Nick. “The Commission recognizes, though, that some bequests are not intended to be provided in exchange for the public servant’s performance of his or her duties.”

The advisory opinion concludes that persons are not prohibited from giving, and public servants are not prohibited from accepting, bequests if the bequest arises substantially outside the scope of the public servant’s duties and there is no exchange or a reasonable expectation of an exchange for the public servant’s performance of his or her duties.

As always, if you have questions, please do not hesitate to contact us.



[Click here](#) for Advisory Opinion 2020-01

## Hmm, Can I Accept This Plaque?

A common issue the Ohio Ethics Commission addresses is gifts. Can this vendor pick up my tab at lunch? Is it okay for me to keep this door prize? Should our office return this holiday present?

The Ethics Commission is always glad to respond to those questions since receiving advice and education **before taking action** is preferable to being investigated **after** the action! In fact, the Commission has produced numerous products to assist public employees and officials in making the right choice when it comes to gifts.

Here are a few of the most commonly cited documents:



[Gifts and the Ohio Ethics Law Information Sheet](#)

[Conferences and the Ohio Ethics Law Information Sheet](#)

[Advisory Opinion 2001-03](#)

One of the “gift questions” that has arisen relates to certain ceremonial gifts. It’s not uncommon for public servants to present speeches, appear on panels, or be present at other public appearances or events. Often, those public employees or officials are presented with items such as plaques or framed certificates and some have inquired whether such items can be accepted.

To address that question, the Ohio Ethics Commission issued [Advisory Opinion 2019-01](#) at its December 2019 meeting. The advisory opinion concludes that public employees and officials are not prohibited from accepting unsolicited, purely ceremonial gifts that have little intrinsic or marketable value.

“The Ohio Ethics Law prohibits public officials and employees from accepting substantial gifts from vendors, potential vendors, and entities they regulate or that have a specific issue before the public agency,” said Executive Director Paul M. Nick. “The Commission recognizes, though, that some gifts are ceremonial in nature and are not likely to improperly influence those in public service.”

Common items of this nature may include personalized plaques, pictures, framed certificates, trophies, or similar items given for presentation purposes. If you should ever have questions regarding this issue or any other gift issue, please do not hesitate to contact the Ohio Ethics Commission for additional information.

## CLE Dates are Announced!



The Ohio Ethics Commission and the Ohio Board of Professional Conduct annually provide free Continuing Legal Education (CLE) courses each year for public practice attorneys.

The classes are approved by the Ohio Supreme Court for 2.5 professional conduct hours and we have scheduled three classes in 2020 with two being held in Columbus and one in Toledo. To register or join our e-mail list for notifications regarding CLE classes, please visit the link below.

Toledo	Tuesday, March 10
Columbus	Friday, April 17
Columbus	Thursday, October 29

[Click here](#) to register for a CLE class and subscribe to the Ohio Ethics Commission's CLE e-mail notification list.



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[www.ethics.ohio.gov](http://www.ethics.ohio.gov)