

Connecticut Office of State Ethics



POST-STATE EMPLOYMENT

Presented by

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Education and Communications

Knowing the Limits

WHEN YOU LEAVE STATE SERVICE

- Gifts
- Conflicts of Interest
- Use of State Position
- Other Employment
- Revolving Door

The Number One Rule

Always Get
Advice

Where to Get Advice

Important Points:

- ▶ Each state agency has an ethics liaison and/or a compliance officer.
- ▶ Each state agency has its own ethics policy, which can be more restrictive than the Code of Ethics.

Contact Us:

- ▶ CT.GOV/Ethics
- ▶ 860-263-2400

Resources:

- ▶ Request Advice
- ▶ Plain Language Guides
- ▶ State of Connecticut Mandatory Reporters

What are the rules when you leave public service?

- ▶ **Lifetime Bans**
- ▶ **One-Year Bans**

Confidential Information

- ▶ Lifetime Ban – General Statutes § 1-84a
- ▶ You may never disclose or use confidential information acquired in state job for financial gain for yourself or another person.
- ▶ “Confidential Info” defined: Regs., § 1-81-15

Side-Switching

- ▶ Lifetime Ban – General Statutes § 1-84b (a)
- ▶ You may never represent anyone other than the state, concerning any particular matter (1) in which you participated substantially while in state service, and (2) in which there is a substantial state interest.
- ▶ Prohibits “side switching” in the midst of ongoing state proceedings matters.

Terms

- ▶ Represent = any action whatsoever regarding any particular matter
 - regardless of whether compensated and regardless of forum (e.g., former state agency, court).
- ▶ Particular matter = specific matters, not general ones
 - Specific: contract, application, request for a ruling, investigation, permit, etc.
 - General: statutes, regulations, other actions of general application

Terms

- ▶ Substantial participation = participation that was direct, extensive and substantive, not peripheral, clerical or ministerial (e.g., typing a document).
- ▶ Substantial state interest = whenever the finances, health, safety, or welfare of the State or 1 or more of its citizens will be substantively affected by the outcome.

Cooling-Off Provision

- ▶ 1-year Ban – General Statutes § 1-84b (b)
- ▶ For 1 year after leaving state service, you may not represent anyone, other than the state, for compensation before your former agency, concerning any matter in which the state has a substantial interest.

Cooling-Off Means...

- ▶ Represent = any activity that reveals the identity of the former state employee's identity to his/her former agency.
 - appearing in person,
 - signing a document,
 - identifying oneself on the telephone
 - including name on letterhead

Impermissible

- Calling former agency and leaving contact information of your post-state employer
- Publicizing your new job by sending announcement to former agency
- Requesting info re: status of application, case, etc.
- Asking former agency how statute or regulation would apply to specific situation

Permissible

- Working behind the scenes
- Representing before other state agencies
- Contacting former agency for generic info.
- Meeting w/ former state co-workers at social event

Contracts

- ▶ 1-year Ban – General Statutes § 1-84b (f)
- ▶ You may not be hired, for 1 year *from the date you leave state service* by a party to a state contract valued at \$50,000 or more if:
 - you were substantially involved in, or supervised, the negotiation or award of that contract, and
 - it was signed within your last year of state service.

What is Substantial Participation and Supervision?

- discretionary power to affect contract terms
- make recommendations re: bids
- negotiate terms of contract
- signatory authority
- exercise supervisory authority in the negotiation or award of a contract

Statements of Financial Interests

- ▶ Leaving before 1 / 1 / 19:
 - File SFI for portion of calendar year 2018 served.
- ▶ Leaving after 1 / 1 / 19:
 - File SFI for preceding year (i.e., 2018) by 5 / 1 / 19
 - File SFI for portion of calendar year 2019 served

The filer has the option of submitting one filing that covers both reporting periods.

What Are YOUR Rules?

**Knowing the difference between what
you have a right to do and what's
right to do –**

Potter Stewart

Contact Us



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NEXT UP:

Retirement Information

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