



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

DECLARATORY RULING 96-A

Commissioner May Not Accept Additional Employment
With His Or Her Own Agency

Mr. John J. Woodcock III has asked whether the Code of Ethics for Public Officials, Chapter 10, Part I, Connecticut General Statutes, would prohibit a Commissioner from accepting other employment with his or her own agency.

The Code of Ethics prohibits a public official or state employee from using his state position, however inadvertently, to obtain financial gain for himself. Conn. Gen. Stat. §1-84(c). See also, Conn. Gen. Stat. §1-85. The Ethics Commission has previously held that there are inherent conflicts of interests when an employee is also the employer, or a full member of the body which is the employer. Ethics Commission Advisory Opinion No. 96-2, 57 Conn. L.J. No. 35, p. 4C (February 27, 1996) (Bridgeport Harbor Master may not enter into contract with board on which he serves); Ethics Commission Advisory Opinion No. 91-18, 53 Conn. L.J. No. 2, p. 3C (July 9, 1991) (Health Care Access Commission May Not Enter Into Consulting Contract With One Of Its Members). Actions regarding the initial hiring, and subsequent decisions of job evaluation, raises, and promotion would certainly be of significant financial consequence. These decisions would need to be made by other individuals in the agency. It would be unrealistic to assume that the Commissioner's state position would not influence the decisions of his subordinates or his peers in his own agency. Therefore, it is not permissible, under the Code of Ethics, for a Commissioner to obtain other employment in the agency which he heads. It should be noted that this prohibition has been codified by the General Assembly. Effective January 1, 1997, the head of an agency is prohibited from entering into any contract, including a contract of employment, with the agency he heads. See, Public Act No 96-11, Sec. 1.

By order of the Commission,

A handwritten signature in black ink, appearing to read 'Stanley Burdick', written over a horizontal line.

Stanley Burdick
Vice-Chairperson

Dated 10-18-96
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