



STATE OF CONNECTICUT

GOVERNOR NED LAMONT

To: All Governor's Staff
From: Bob Clark, General Counsel
Re: Ethics Statement
Date: September 22, 2020

ETHICS AND ELECTIONS POLICY

In order to obtain and preserve the public trust, it is essential that the Governor's Office staff maintain the highest standards of ethical conduct. In keeping with the Governor's commitment to a strict ethical standard within the administration, please be advised that the following ethics policy has been adopted. It reflects not only state law, but also the conduct necessary to set a leading example for all state employees. It is important to remember that not only must we adhere to the letter of the law, but we must avoid even the appearance of impropriety. Please feel free to contact the Governor's General Counsel's Office with any questions or concerns. You may also contact the Office of State Ethics directly. It is better to ask questions before subjecting yourself to a potentially unethical situation.

1. General Conduct

- A. Employees shall always treat members of the public and fellow employees with dignity and respect.
- B. Employees shall avoid any action that may result in or give the appearance of using their position as a public servant for private gain.
- C. Employees shall avoid any action that may adversely affect the public's confidence in government.
- D. Employees shall not use or possess illegal or dangerous drugs.

- E. Employees should act professionally and avoid situations which could potentially embarrass the Office of the Governor. This includes, among other things, excessive drinking of alcoholic beverages, or driving a state vehicle after consuming alcoholic beverages.
- F. Employees shall utilize state equipment for state purposes only and shall follow state regulations and procedures regarding maintenance and use of state property.
- G. Employees may make incidental personal use of work telephones for local calls. Personal or non-state-related long distance calls must be charged to personal calling cards or home numbers. In emergencies, employees may make long distance calls on work telephones, but must promptly reimburse the state.
- H. Employees' excessive use of work telephones or work computers for personal or private matters will be the basis for disciplinary action.
- I. Employees shall not use their computers for personal use, e.g., e-mail to friends on non-state-related business, booking a vacation trip over the internet, or downloading unauthorized computer software or pornography from the internet. Employees shall not install any software on their computer system that was not preinstalled or approved by DOIT and / or the General Counsel's Office.
- J. Employee's e-mail is not confidential and is considered a public record. As such, employees should recognize that anything they draft may be requested and released to the public. Employees shall not use the computer system in any deliberately wasteful way, e.g., mass mailings or unnecessary printing.
- K. Employees shall not use their computers for any illegal purpose, e.g., unauthorized access to a computer system, fraud, theft, misuse, and destruction of computer equipment.

II. Personal Interests, Outside Employment, and Financial Activities

- A. After leaving the Governor's Office, employees shall not represent anyone other than the state in a matter in which the former employee participated personally and substantially. Sec. 1-84b(a)
- B. After leaving the Governor's Office, employees shall not, for one year after leaving state service, receive compensation for representing anyone other than the state before this office. Sec. 1-84b(b)

- C. After leaving the Governor's Office, employees who substantially participated in (or supervised) the negotiation or award of a state contract worth over fifty thousand dollars shall not accept employment with another party to that contract for one year after termination of employment (if the contract was signed less than one year before the employee left state service). For example, an employee that was responsible for negotiating a large state contract for janitorial services, signed Mar. 1, could not go work for that service company on Dec. 1 of that year, but could after Mar. 1 of the next year. Sec. 1-84b(f)
- D. Employees shall not have any financial interest or engage in any business activity that substantially conflicts with the employee's public duties. Sec. 1-84(a)
- E. Employees shall not take official action on any matter where an expected benefit or detriment would disproportionately fall on the employee, their family, or their business. For example, an employee required to determine whether a state contract should be awarded to her spouse would not be permitted to act on that matter. Sec. 1-85; Ethics Comm Regs Sec. 1-81-28
- F. Employees shall not accept other employment that will impair their independence of judgment as to official duties or that will require them to disclose confidential information. Sec. 1-84(b). If you accept another position, outside of the Governor's Office, you shall disclose such employment to the Chief of Staff and/or the Governor's General Counsel.
- G. Employees shall not disclose confidential information obtained through the course of state employment to any other person for the financial benefit of themselves or any other person, e.g., telling policy decisions to friends so that they may profit from stock purchases. Furthermore, profiting on confidential information can violate the federal securities laws on insider trading, which carry severe penalties. Sec. 1-84a. 1-84(c).
- H. Employees shall not be involved in outside employment or financial interests with employees under their supervision.
- I. Employees shall not accept any board membership for any organization that conflicts or appears to conflict with the performance of their official duties. You must notify the Chief of Staff and/or the Governor's General Counsel of any board memberships.
- J. Employees shall not disclose confidential information or use his or her office for personal financial gain or for the financial gain of family members. Sec. 1-84(c).

III. Acceptance of Gifts, Benefits, and Favors

No employee shall solicit or accept anything of value, including a gift, loan, political contribution, reward, or promise of future employment based on any understanding that any action, inaction, or judgment would be influenced. Sec.1-84(g). Gifts from a registered lobbyist, or any person that is doing business with or seeking to do business with the Governor's Office, or is prequalified with DAS relative to construction contracts are also prohibited. Sec. 1-84(j), 1-84(m).

- A. Given the appearance of accepting items from any special interest which may benefit from state action, employees should be extremely careful when accepting anything whatsoever. Even if the acceptance of an item is allowed under the State Code of Ethics, you should avoid such situations and reimburse the donor when appropriate. You should contact the Chief of Staff and/or the Governor's General Counsel when offered any complimentary benefits. For example, although food and beverage totaling less than fifty dollars from one donor over the course of the year, provided the person paying, or their representative, is present, is permitted pursuant to Sec. 1-79(e)(9) of the State Code of Ethics, members of the Governor's Staff should pay or reimburse for any meals at restaurants.

Despite the previous general prohibition, employees may accept:

- B. Services from volunteers. Sec. 1-79(e) (2). You should only accept volunteer services, if it is for time provided in connection with a political campaign.
- C. A loan on terms no more favorable than made to others in the ordinary course of business. Sec. 1-79(e)(3)
- D. A gift from a close family member, e.g. spouse, parent, child, or sibling. Sec. 1-79(e)(4)
- E. Goods or services provided to the state which incidentally benefit the employee. For example, an employee could use a fax machine given to the state and used on state premises, but could not accept the machine for use at home. Sec. 1-79(e)(5). Such gifts to the state must be approved by the Chief of Staff and/or the Governor's General Counsel. You must file any required disclosure statements prior to the acceptance of such a "gift to the state." A "gift to the state" cannot be accepted from a regulated donor. See, 1-84(q); Citizen's Ethics Advisory Board Advisory Opinion 2006-3.

- F. A certificate or ceremonial plaque costing less than one hundred dollars. Sec. 1-79(e)(6)
- G. A rebate or discount also available to the general public. Sec. 1-79(e)(7)
- H. Political contributions that are properly and legally reported. Sec. 1-79(e)(1)
- I. A gift from an individual for the celebration of a major life event, e.g. wedding, birth of a child, or bar mitzvah, but not an annual event, such as a birthday or anniversary. However, this is not allowed if the donor is a person doing business with or seeking to business with or is regulated by the Governor's Office, or is pre-qualified with DAS. Sec. 1-79(e)(12); Ethics Comm. Regs Sec. 1-92-53
- J. Admission and food and drink to charitable and civic events provided by the primary sponsoring entity which employees attend in their official capacity. For example, an employee may go for free to a ribbon cutting event that charges admission, as long as they are there in their official capacity and not as a spectator. Sec. 1-79(e)(14)
- K. Anything under ten dollars, as long as the total value of such items from the donor does not exceed fifty dollars in one year. Concert or event tickets, or greens fees would most likely not fall within the exception, since they all cost over ten dollars, and the employee would have to reimburse for the full amount. Furthermore, although the Office of State Ethics has allowed a state employee to receive up to one hundred dollars a year from any one state agency, prior to the acceptance of any such agency gift, you should contact the Chief of Staff and/or the Governor's General Counsel. Sec. 1-79(e)(16); Ethics Commission Advisory Opinion 98-9, dated 3-6-98
- L. Necessary expenses for an article, appearance or speech or for participation at an event in your official capacity. "Necessary expenses" are limited to necessary travel expenses, lodging for the nights before, of and after the appearance, speech or event, meals and any related conference or seminar registration fee. However, you must notify the Chief of Staff and/or the Governor's General Counsel if you plan on accepting any necessary expenses. There may be circumstances in which it would be more appropriate for the Governor's Office to pay for any necessary expenses, rather than have the host of the event pay for such items. Furthermore, you must make sure that you file any required disclosure reports to the Office of State Ethics.

IV. Other Prohibitions on Conduct

- A. Employees, [immediate] members of their families, or associated businesses, shall not enter into any contract with the state valued over one hundred dollars, unless the contract is awarded through an open and public process. Agency heads shall not enter into any contract with their own agency. Sec 1-84(i)
- B. Employees, or [immediate] members of their family, shall not knowingly accept any gift, subject to the exceptions above, from a lobbyist. Sec. 1-84(j)
- C. Employees shall not accept any fee or honorarium given in return for an article, speech, or appearance made in their official capacity. Sec. 1-84(k)
- D. Employees shall not willfully or knowingly interfere with existing lobbying contracts, or solicit new lobbying contracts. Sec. 1-84(l)

V. Statements of Financial Interest

- A. Employees designated by the Governor are required to file a financial statement with the Office of State Ethics which is due May 1. Sec. 1-83(a)
- B. The financial statement shall include: a) the names of all businesses with which the employee is associated, b) the category or type of sources of income over one thousand dollars (specific amounts not required), c) the name of securities held by the employee or their family in excess of five thousand dollars, d) the existence of any blind trust, e) all real property and its location, f) the names and addresses of creditors to whom the employee owes more than ten thousand dollars (this information will not become public), g) any leases or contracts with the state, and h) a description of any partnership, joint ownership or similar business affiliation between a business associated with the individual filing the statement, their spouse or dependent, and a lobbyist or a business associated with a lobbyist. Sec. 1-83(b) & (c).

VI. Political Activity

- A. Employees shall not engage in any political activity during regular working hours unless during lunch or while on approved leave. Sec. 5-266a(b)
- B. Employees shall not use their political authority or influence to interfere with the results of the election or to directly or indirectly coerce or attempt to coerce others to contribute to a political campaign. Sec. 5-266a(a)

- C. Employees shall not wear political name badges or other paraphernalia while on duty.
- D. Employees shall not display political paraphernalia in their offices with respect to current or upcoming political campaigns.
- E. Employees, in exercising their personal political rights, must avoid any implication that their political activities (including any public statements) represent the official position of the Office of the Governor.
- F. Employees shall not use state funds for political activity. This includes the use of the office, desk, phone, office supplies, or copy machine, etc. Sec. 5-266a

VII. Political Contributions

- A. Employees are free to make political contributions to the candidates of their choice and should be aware that federal and state laws govern the amounts and the timing of these contributions.
- B. Employees shall not solicit political contributions from other employees or anyone with whom their department regularly conducts business, nor shall they encourage others to attend fundraising events. Sec. 5-266a(a)
- C. Absolutely no political contributions should be accepted at the Governor's Office or the Governor's Residence.

GOVERNOR'S OFFICE
Ethics and Elections Policy
Acknowledgement Form

I, _____, have read the attached policy dated September 22, 2020, and agree to abide by its terms. If any situation arises which requires the interpretation of the Ethics or Elections Code of this policy, I will contact the Office of State Ethics, State Elections Enforcement Commission, or the Governor's General Counsel's Office before taking any action.

Signed: _____

Date: _____