

The content of this presentation is informational in nature and was designed to meet the ethics training requirement pursuant to R.S. 42:1170.

It does not constitute a formal advisory opinion by the Louisiana Board of Ethics.

For more information, you may contact one of the staff attorneys with the Ethics Administration Program.





Government Grows Better with Ethics.

THE LOUISIANA CODE OF GOVERNMENTAL
ETHICS FOR PUBLIC SERVANTS

PURPOSE AND GOALS OF ETHICS FOR PUBLIC SERVANTS TRAINING

To inform public servants of the following:

- The Code's basic principles and provisions
- How the Louisiana Code of Governmental Ethics affects public servants and private persons.
- How the Board upholds the Code

GOVERNMENTAL ETHICS

Growing Better Government in Louisiana

Why do I have to take this course? My parents taught me all I need to know about ethics.



GOVERNMENTAL ETHICS

Growing Better Government in Louisiana

A dark silhouette of a woman walking from left to right, positioned on the left side of the slide. The background is a gradient of blue and green, with a faint, stylized tree or plant graphic on the right side.

What is governmental ethics,
and how does it differ from
everyday ethics?

GOVERNMENTAL

Government in L


**Very good! Now tell
Mama the four
prohibited sources
for public servants.**

**I can't talk now.
My dad says my
Power Puff Girls
may be breaking
participation rules.**

**Great idea, Gloria! But my
mom says, "Always check
with the Board of Ethics first
in situations like this."**



GROWING BETTER GOVERNMENT IN LOUISIANA


A dark silhouette of a woman in profile, walking from left to right. She is wearing a long-sleeved top and pants. The background is a gradient of blue and green.

Governmental ethics “is about acting responsibly and professionally as a government official or employee under certain circumstances and following certain rules and procedures. It is about preserving *institutional* rather than personal integrity.”

Robert F. Weschsler

GOVERNMENTAL ETHICS

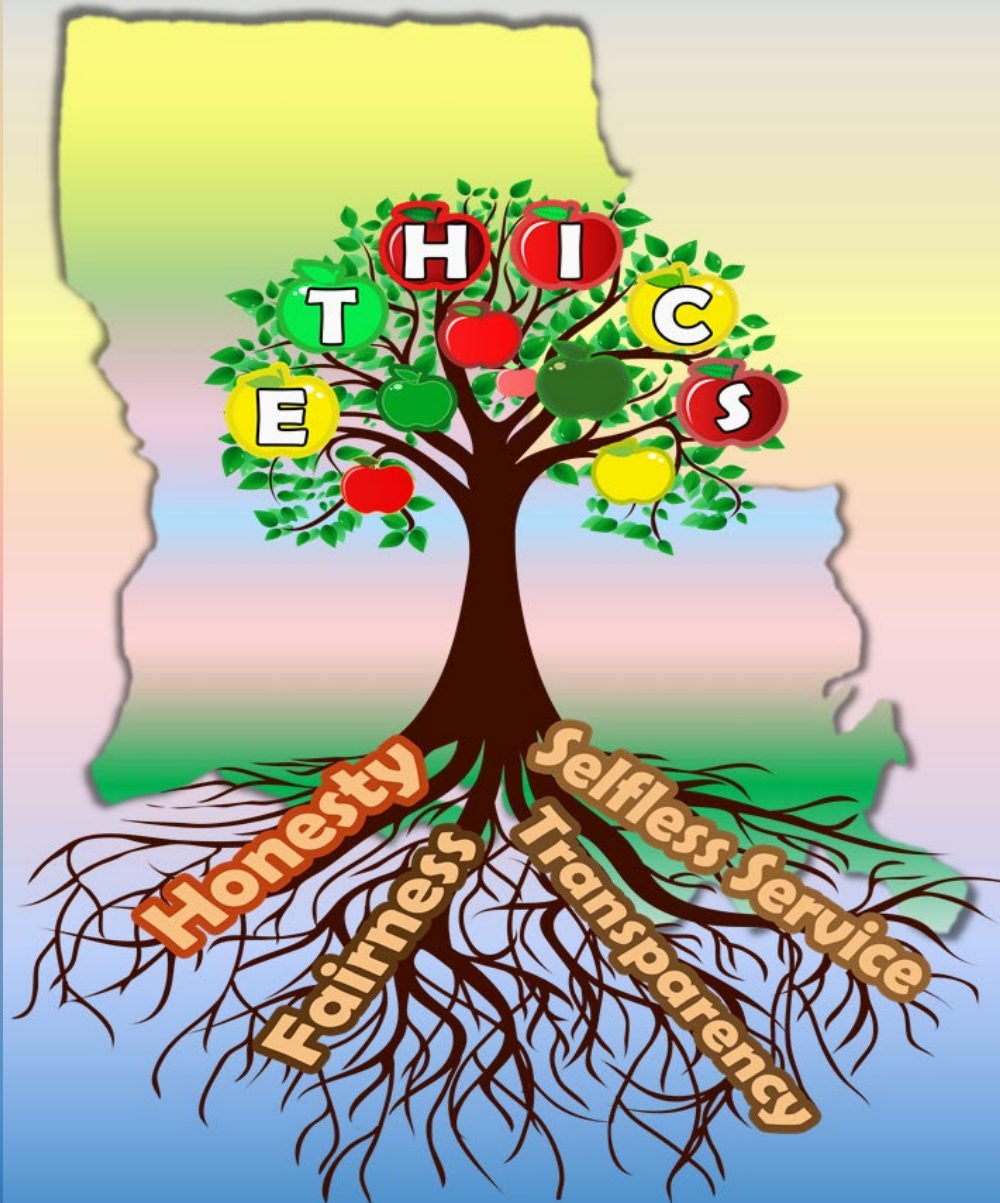
Growing Better Government in Louisiana

- 
- More particular than what our parents called “good behavior.”
 - More specific than what you learned in kindergarten or faith-based schools.
 - More focused on building institutional character than individual character.

**NOT BETTER THAN GOOD HOME TRAINING,
DIFFERENT FROM GOOD HOME TRAINING.**

The background is a blue-tinted photograph of a forest. In the lower-left foreground, a person is walking away from the viewer. The trees are silhouetted against a lighter blue sky. The overall mood is serene and contemplative.

**Imagine government with
governmental ethics as a tree
bearing fruit.**




Good Roots > Good Fruit > Good Government

Who must take the mandatory hour of governmental ethics training?



LA REVISED STATUTE 42:1170(A)

- Public Servants
1 hour
- Elected Officials
1 hour



Also, 1 hour
per term of
Campaign
Finance
Disclosure
Act

Ethics training is credited by calendar year and must be done by midnight December 31st.



Public servants do a variety of jobs.

WHO IS A PUBLIC SERVANT?

Public employees, elected officials, and people who are appointed to various state and local boards and commissions are all public servants.

WHO IS A PUBLIC EMPLOYEE?

- Anyone who is an administrative officer or official of a governmental entity who is **not** filling an elected office.
- Anyone whom an elected official appoints to serve as a member of the agency or as an employee of the agency when the elected official is acting in an official capacity.



PUBLIC EMPLOYEE CONTINUED

- Anyone engaged in the performance of a governmental function,
- Anyone under the supervision or authority of an elected official or another employee of a government organization –

whether compensated or not.

GOVERNMENTAL ETHICS

Growing Better Government in Louisiana



The behavior of public servants influences how citizens answer such questions as

Is government fair?

Does it work for the good of the people?

KEY WORDS FOR THE FOUR PRINCIPLES BEHIND THE CODE

Honesty

Fairness

Transparency

**Selfless
Service**

1. The public must have confidence in the integrity of government.
2. Public servants must be independent and impartial.
3. All decisions and policies must be made through the proper channels of government.
4. Public office and employment must not be used for private gain other than that to which the public servant is entitled by law.

A
CONFLICT
OF
INTEREST



ONE DEFINITION OF CONFLICT OF INTEREST

“a situation in which a person is in a position to get some personal benefit from actions or decisions made in their official capacity.”

Conflict of Interest
Oxford English Dictionary

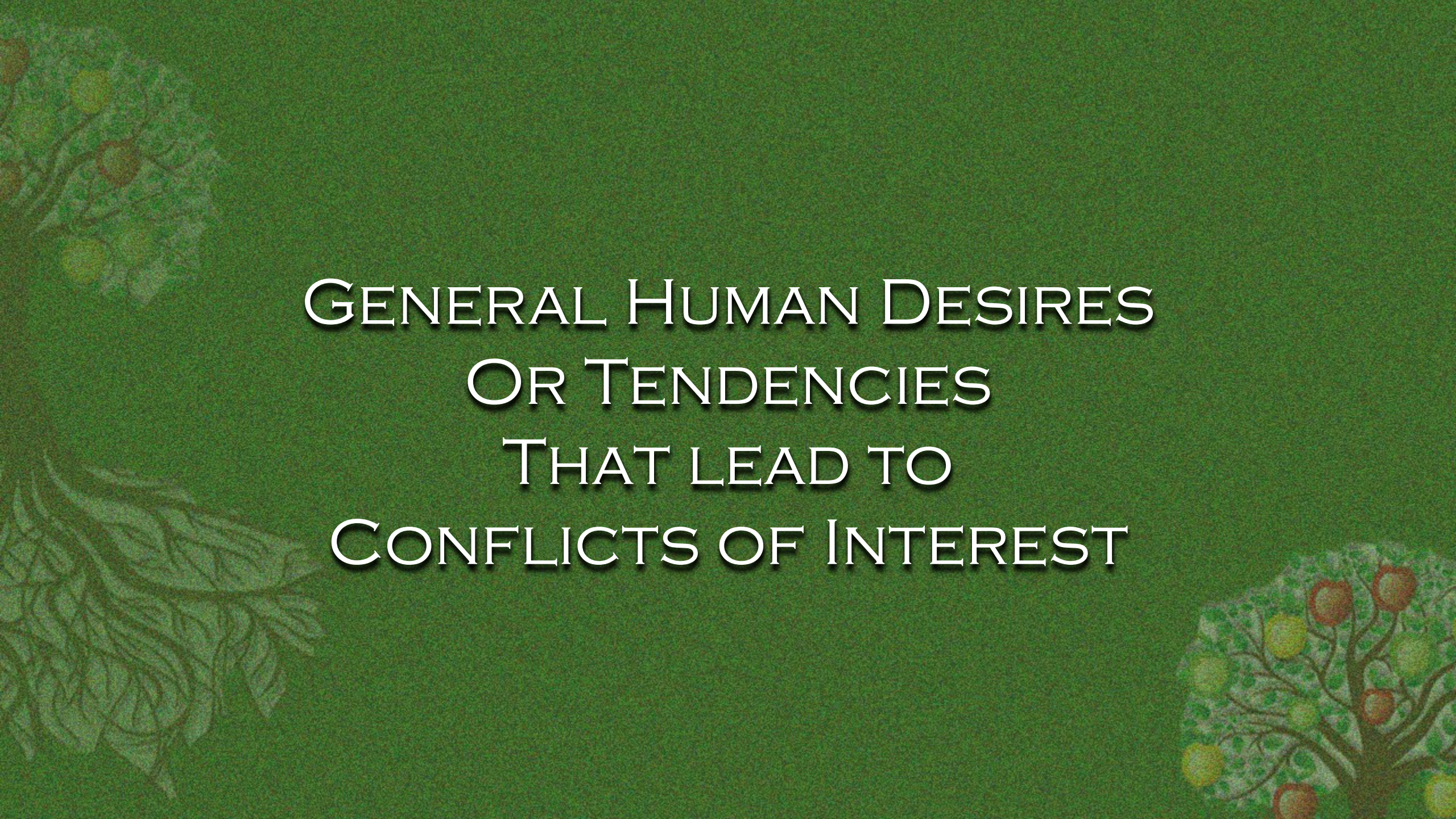


WAR OF THE WILLS

Private

Public





GENERAL HUMAN DESIRES
OR TENDENCIES
THAT LEAD TO
CONFLICTS OF INTEREST



**You don't care about fair procedures.
You want to speed to the top.**



**You think it's all about
you, not the people.**



**You've got your mind on that money
and that money on your mind.**



You just want to help friends and family even when helping breaks the rules.



Governance

Governance

IDENTIFYING ETHICAL PITFALLS

S

Sensitivity

Will my actions make my supervisor uncomfortable

?

T

Trust

Will my actions weaken public trust

?

A

Advantage

Will anyone get or seem to get an unfair advantage

?

N

News

Will my actions make a bad headline on the news

?

D

Danger

Will my actions put my agency at legal risk

?

for growing better government.



IDENTIFYING ETHICAL PITFALLS

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for growing better government.

DEFINITION: POLITICAL SUBDIVISION

Any unit of **local** government, including a special district, authorized by law to perform governmental functions.




DEFINITION: GOVERNMENTAL ENTITY

The state or any political subdivision which employs the public employee or employed the former public employee or to which the elected official is elected, as the case may be.

DEFINITION: AGENCY

An **agency** may be a department, office, division, commission, board, committee, and also an agency as well as any other organizational unit of a governmental entity.



DEFINITION: AGENCY

For elected officials, the Code of Ethics defines **agency** as the state of Louisiana or the political subdivisions they have been elected to represent.

Example: When someone is elected mayor of a town, his or her agency is the town government.

DEFINITION: AGENCY HEAD

An agency head is the chief executive or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency.

Supervision generally means “the series of acts involved in managing, directing, or overseeing persons or projects.”

Black's Law Dictionary

DEFINITION: PERSON

An individual or a legal entity
that is
NOT a governmental entity.



WHO IS HELD ACCOUNTABLE UNDER THE CODE OF ETHICS?



Elected and
Appointed Officials



Public Employees



Private Entities



Legal Entities
(i.e. companies & businesses)



Immediate Family
Members

DEFINITION: IMMEDIATE FAMILY

Your children
&
Your children's
spouses

Your
spouse

The spouses of
your brothers,
sisters, and
half-siblings.

Your spouse's
parents
&
Your parents

Your brothers
and sisters,
including half-
siblings

But **NOT**
your spouse's
brothers and
sisters

DEFINITION: PROHIBITED SOURCE

For Elected Officials

1. A person who has or is seeking a contractual, business, or financial relationship with your agency.
[R.S. 42:1115A(1)]
2. Someone who, for compensation, attempts to influence any legislation or ordinance of the elected body.

DEFINITION: PROHIBITED SOURCE

For Public Employees

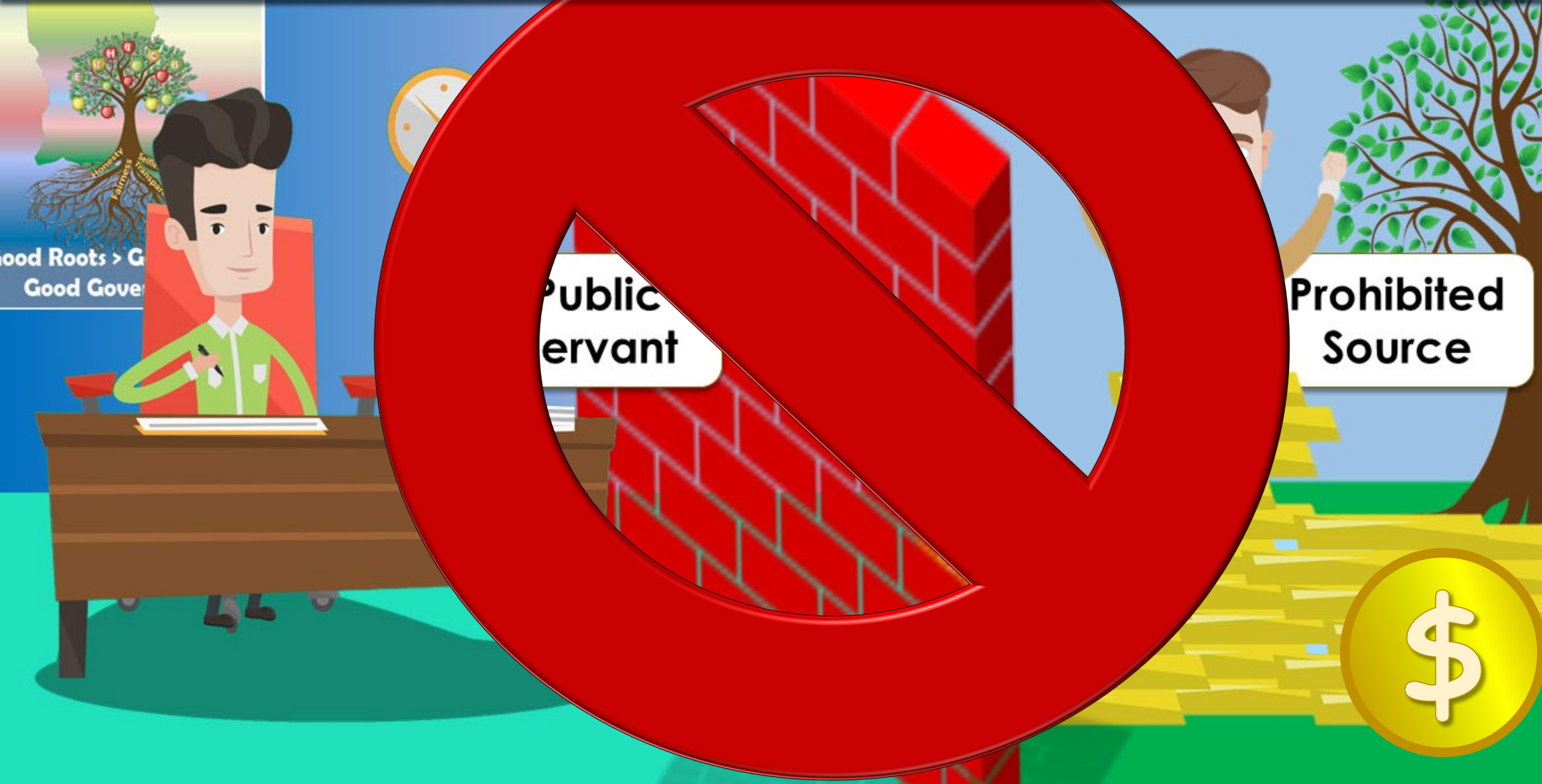
1. A person who has or is seeking a contractual, business, or financial relationship with your agency.
[R.S. 42:1115A(1)]
2. Someone who, for compensation, attempts to influence any legislation or ordinance of the elected body.

DEFINITION: PROHIBITED SOURCE

For Public Employees

3. A person who conducts activities which are regulated by the public employee's agency. [R.S. 42:1115B(1)]
4. A person who has a substantial economic interest that may be substantially affected by the performance, or non-performance, of the public employee's job duties. [R.S. 42:1115B(2)]

PROHIBITED SOURCE BASICS



Good Roots > Good Governance

Public Servant

Prohibited Source



DEFINITION: SUBSTANTIAL ECONOMIC INTEREST


An economic interest which is of greater benefit to the public servant or other person than to a general class or group of persons.

The Code lists exceptions to this definition in its definitions section.

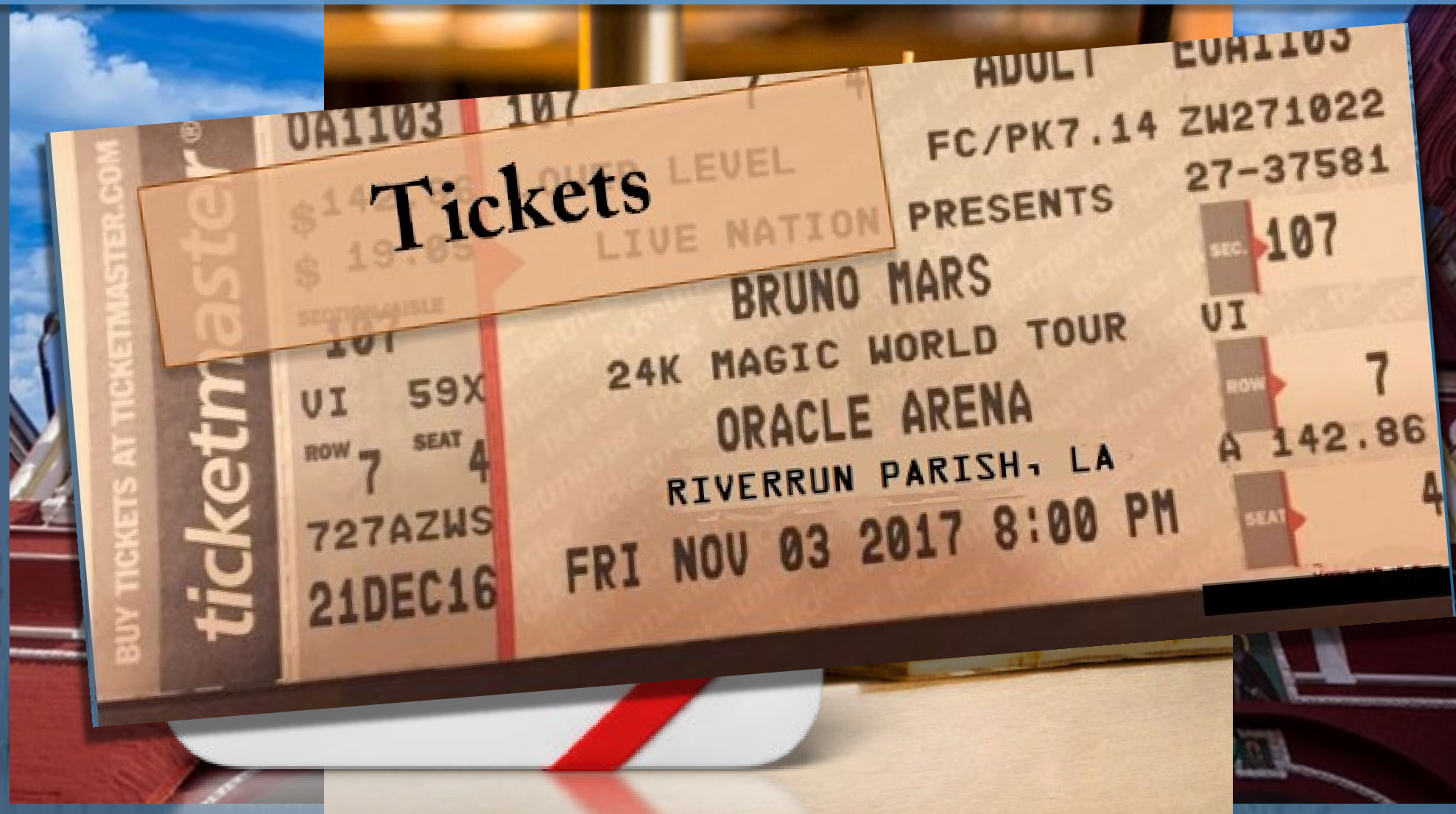
(La. R.S. 42:1102)

DEFINITION: THING OF ECONOMIC VALUE

Money or any other thing having economic value, except promotional items having no substantial resale value.*



THINGS OF ECONOMIC VALUE



Gifts



Gifts

A public servant may not solicit or accept any thing of economic value as a gift or gratuity from any person or from any officer, director, agent, or employee of such a person that is considered a Prohibited Source.



Why can't Victor accept the poster or a discount on the poster **under the gift rule?**

The poster is a thing of economic value, and the contractor is a prohibited source. He's bidding on a job with the city.



What if someone offered Victor a 75% discount on this poster to say thank you?



Gifts

Exceptions

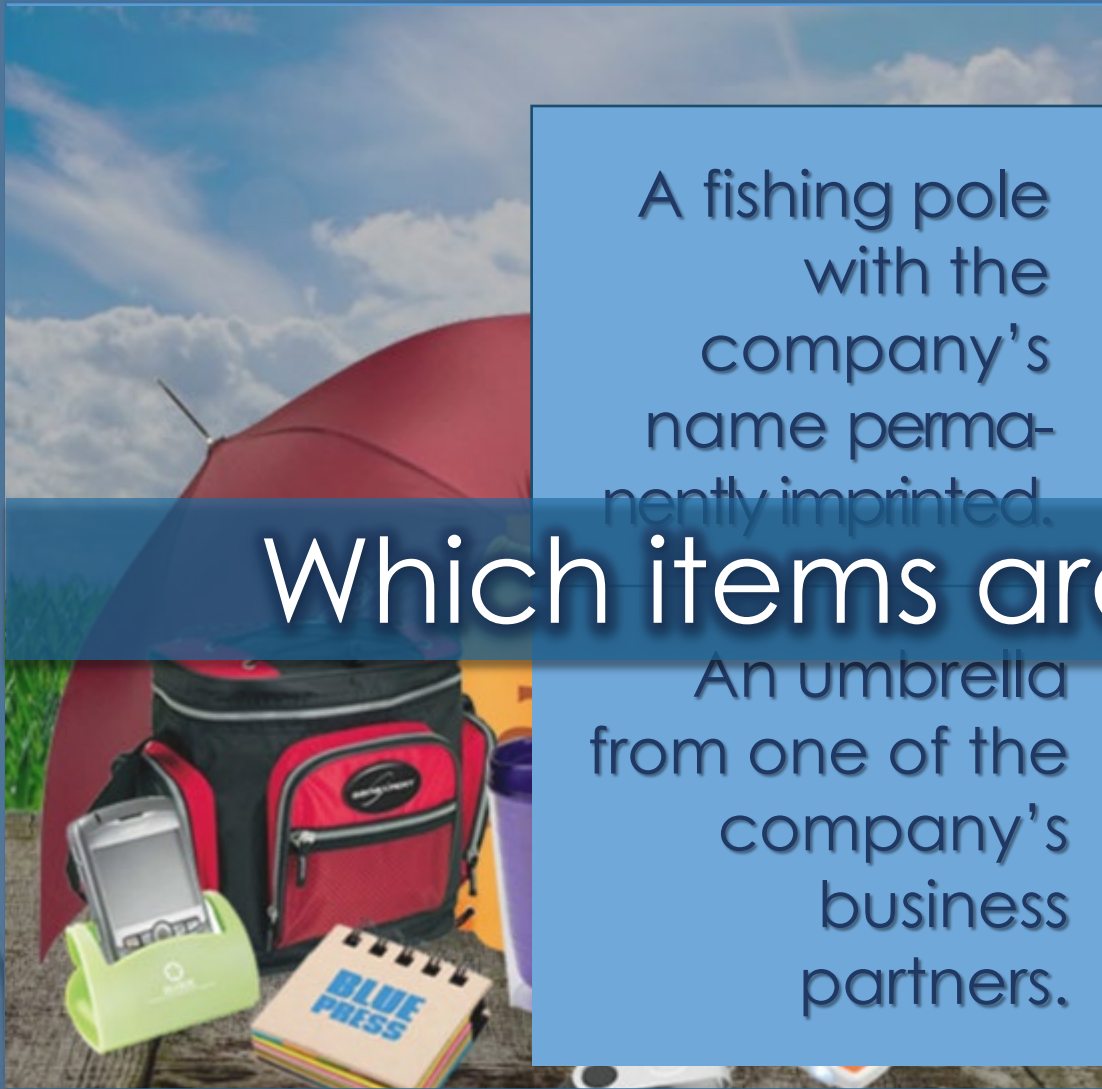
The Code has some exceptions to the gift rule; however, determining what is or is not considered a gift may not always be as easy as it seems.



DEFINITION: PROMOTIONAL ITEMS

Promotional items are objects that businesses give away to promote their services or products.

Under the Code, promotional items must have no substantial resale value. The Board has traditionally held that a company logo or name be imprinted on such an item.



A fishing pole with the company's name permanently imprinted.

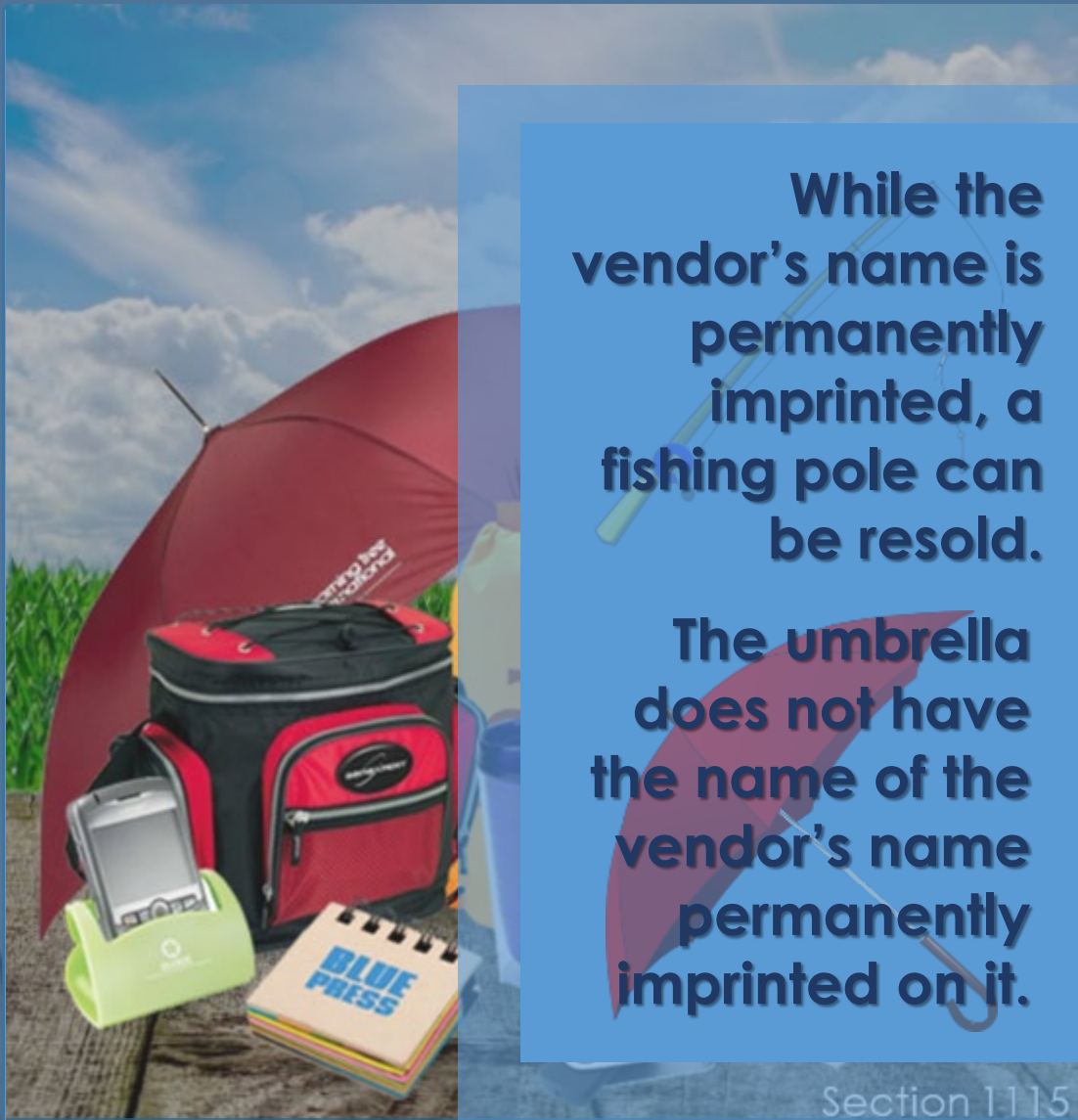
A canvas tote with the date and name of the conference screen-printed on the front.

An umbrella from one of the company's business partners.

A picnic drink cooler with the company's logo.

Which items are promotional?

Which items are promotional?



While the vendor's name is permanently imprinted, a fishing pole can be resold.

The umbrella does not have the name of the vendor's name permanently imprinted on it.

Section 1115

The souvenir tote is unlikely to have a substantial resale value.

It depends. Is the company in the cooler business? What's the potential resale value?

Which items are promotional?



Gifts

Section 1115

Exception
R.S. 42:1123(26)(b)

Teachers' Gifts

- Gifts **must** be received from or on behalf of a student or former student.
- A single gift **may not** exceed \$25 per student.
- Total amount of gifts received by a student throughout a calendar year cannot exceed \$75."

Food & Drink

Section 1115.1

Gifts Exceptions



Mark's Gift Basket





Food & Drink

Specific exceptions for food and drink fall under gifts rules.
Remember the Code's guidelines and restrictions for food and drink.

Food & Drink

Food and drink must be consumed in the presence of the giver or the representative of the providing company/organization.

Food & Drink




The public servant may receive reasonable transportation and entertainment that is incidental to the food and drink.

Food & Drink



Gift cards and gift certificates for food or drink are **not** part of the exception for food and drink.

Food & Drink



The limitation on the dollar value of food and drink a public servant may be given is **\$65 per public servant per event**. The dollar limitation does not include tax or gratuity.

Food & Drink



An “event” is a single activity, occasion, reception, meal, or meeting at a given place and time.

Food & Drink

Exclusions:

- Gatherings at a national or international conference
- Meetings for state or local officials or employees.

“In conjunction” means an event held during the same time period and in the same general locale as the meeting of the organization or as part of the scheduled activities of the meeting. The gathering must be open to all persons attending the meeting.

HOWEVER, at least ten persons associated with the organization must be invited to the gathering.

Food & Drink

Foodie Math

To find out whether your food and drink at your event falls within the limitation, divide the total cost of the food and drink by the total number of persons invited.

$$\mathbf{\$1000 \div 10 = \$100}$$

Total Cost People Invited Per Person

Use this figure even if all invitees do not attend.

Food & Drink

Only a month remains before the contract between La Rue Engineering and the City of Monroe ends. In the meantime, the company is hosting a retirement dinner in honor of its founder. The company spends \$2500 on the dinner, expecting 50 guests. That's \$50 per person. Five invitees are city employees. Due to bad weather, **only 40 invitees attend**. The cost is still \$50 per person. So, this event falls within the food and drink exception.

Food & Drink

$$\mathbf{\$2500} \div \mathbf{50} = \mathbf{\$50}$$

Total Cost

People Invited

Per Person

The cost per person remains the same.
The amount of the meal is within the exception limitation.

Food & Drink



Still, the public servant should reasonably be able to tell whether the food offered is above the limit.

Food & Drink

True or False

In appreciation of your office's hard work, a local business owner has five dozen fresh donuts delivered to your office. Since the donuts are a gift to the entire office, it's perfectly okay for your office to accept and eat the donuts under the Code.

False: Remember the video, "Mark's Gift Basket." You must not accept and eat food outside the presence of the giver.

True or False

Shelby Keller works at the parish jail. Her mother, Grace, is a baker. Monday, Grace delivered a Red Velvet cake to Shelly's office, and Shelby put the cake in the break room. She told everyone that her mother made it, and they were welcome to have a slice. Shelby means well, but she should not have offered the cake to her coworkers. Public servants should not ever accept gifts of food on the job.



False

Go ahead. Have a piece of cake. Shelby's mom is not a prohibited source. She's not doing any business with the jail, so there's no conflict of interest here.



COMPLIMENTARY ADMISSION

Type of Event

1. Civic
2. Non-profit
3. Educational
4. Political

Public Servant's Purpose

1. Speaker
2. Panel member
3. Debate/Discussion participant
4. Program honoree

OR

Staff member assisting an elected official as part of ordinary duties

COMPLIMENTARY ADMISSION EXCEPTIONS

YES

**Fundraisers—Candidate
Or Political Party***



You may not attend political fundraisers if your job prohibits participation.

NO

Sporting Events



COMPLIMENTARY ADMISSION EXCEPTIONS

Public servants may also accept complimentary admission to a fundraising event held by or for the benefit of an educational institution as well as events hosted by or for the benefit of a nonprofit organization that conducts educational programs.

TRAVEL EXCEPTION

Under R.S. 42:1115.2, public servants may accept complimentary admission, lodging, and reasonable transportation or reimbursement for such expenses if the public servant and the agency head comply with the Code's statute.



Public servants do not need to file a disclosure statement when their agency pays for their admission, lodging, and transportation.

Question: True or False?

The history department at Northwestern University is paying for Professor Marion Hébert to attend an educational conference in Houston where she will present a paper in her field. Professor Hébert must file a disclosure form with the Board of Ethics listing her expenses and including her agency head's certification.

False: Professor Hébert does not have to file a disclosure form because her agency is paying for the trip.

Public servants do not need to file disclosures when their agency or another governmental entity pays for their lodging, or admission.

Question: True or False?

Sterling Cooper, a marketing firm for the seafood industry, is underwriting a festival in Biloxi. They offer to sponsor three employees from the Louisiana Office of Culture, Recreation, and Tourism. The firm will pay for their lodging and admission as well as assist the public servants and train them to effectively manage the booth at the festival. The public servants may accept sponsorship for this trip.

False: The public servants' agency head **must first** grant approval and certify that the trip directly benefits the agency or that attendance will enhance the public servants' knowledge or skill to the benefit of the agency.

PROHIBITIONS ON INCOME

42:1111A(1),
42:1111C(1),
42:1111C(2)(d)

Public servants must be careful about how they choose to moonlight or earn extra income. The Code restricts how a public servant may earn extra income performing services for private entities.

PROHIBITIONS ON INCOME

42:1111A(1)

Payments for services to
the governmental entity

Public servants must not receive any thing of economic value other than the compensation and benefits to which they are duly entitled from the governmental entity for the performance of the duties and responsibilities of their office or position.

MARK AND THE GIFT BASKET

Does the gift basket fall into the category of prohibited income?



An ethical problem may fall under multiple areas of the Code.

Here again are four principles guiding the Code of Governmental Ethics:

1. The public must have confidence in the integrity of government.
2. Public servants must be independent and impartial.
3. All decisions and policies must be made through the proper channels of government.

4. Public office and employment must not be used for private gain other than that to which they are entitled by law.

In the video “Mark’s Gift Basket,” which of these four principles **best** applies to Mark’s situation?



The Agency's Dime



True or False

The use of an agency vehicle on personal time is a thing of economic value that Cliff is entitled to.

False

The use of a vehicle is a thing of economic value, BUT Cliff's job does not entitle him to use his agency's vehicle on his personal time.

IDENTIFYING ETHICAL PITFALLS

S

Sensitivity

Is Cliff's boss likely to feel uncomfortable or angry about what Cliff did?

YES

T

Trust

Will Cliff's behavior weaken the public's trust in government?

YES

A

Advantage

Does anyone have an unfair advantage in Cliff's situation?

YES

N

News

Would Cliff's actions make government look bad in the news or online?

YES

D

Danger

Does this behavior put a government agency at legal risk?

YES

for growing better government.

IDENTIFYING ETHICAL PITFALLS

S

Sensitivity

Bosses do not like employees being dishonest and wasteful.



T

Trust

Taxpayers do not want public servants to misuse resources.



A

Advantage

Cliff gets an unfair advantage over everyone else.



N

News

Government and public employees look awful in these kinds of stories.



D

Danger

If he crashed into someone, his parish would likely be sued.



for growing better government.

DEFINITION: A SERVICE UNDER THE CODE

The performance of work, duties, or responsibilities, or the leasing, rental, or sale of moveable or immoveable property.

This includes employment, contractual work, and the selling of property and goods.

PROHIBITIONS ON INCOME

42:1111(C)(1)(a)

MOONLIGHTING & DOUBLE DIPPING

You may not receive anything of economic value for any service which involves the responsibilities, programs, or operations of your agency. This prohibition only applies to the transactions in which you have participated through your public position.

PROHIBITIONS ON INCOME

42:1111(C(1)(b))

NO SHARING OF NONPUBLIC INFO

You may not be paid or benefit economically in anyway by using official government data, ideas, or information you learned on the job if that information has not been made public.

GUIDANCE ABOUT PROHIBITIONS ON INCOME

Prohibited Sources

Public servants and certain private persons may not receive income or a thing of economic value for providing services to any person who is classified as a prohibited source.

Who Must Decline

1. Public servant
2. Spouse of servant
3. Legal entity in which the servant or the servant's spouse exercises control or owns more than 25%

PROHIBITIONS ON INCOME

The Giver of Illegal Payments

No public servant or **other person** shall:

Give, pay, loan, transfer, or deliver or OFFER to give, pay, loan, transfer, or deliver DIRECTLY OR INDIRECTLY to any public servant or other person, any thing of economic value that he or she would be prohibited from receiving by any provision of the Code of Ethics.



PROHIBITED TRANSACTIONS

42:1113(A)(1)(a)



Jesse and the Code on Transactions



A **“transaction”** is a:

- **Proceeding**
- **Application**
- **Submission**
- **Request for a ruling or other determination**
 - **contract**
 - **claim**
 - **case**

A transaction with a governmental entity is:

- **One to which the governmental entity/agency is or will be a party,**
- **One in which the governmental entity/agency has a direct interest, or**
- **One that is or will be the subject of action by the governmental entity/agency.**

To those of you who have taken Ethics training over the year, do you think Jesse should move forward and get his son to put in a bid on the project?



No appointed member of **any board or commission**, any member of his or her immediate family, or a legal entity in which he or she has a substantial economic interest may bid on or enter into **or be in any way interested in** any contract, subcontract, or other transaction under the jurisdiction of the agency of the appointed member.

PROHIBITED TRANSACTIONS

Entities on the following list **MAY NOT bid on or enter** into any contract, subcontract or other transaction under the supervision or jurisdiction of the public servant's agency:

- The public servant
- The public servant's immediate family member
- Any legal entity of which the public servant or the spouse exercises control or owns an interest greater than 25%

What do you think?

True or False

In the video about the civic center vote, Jesse is right when he says his son may bid on the civic center construction job. Under the Code, it is okay for someone of a board or commission member's immediate family to bid on contracts with the agency that the member's board or commission oversees when the bidding process is *anonymous*.

False

Answer: Jessie is wrong.

La. R.S. 432:1113(B) says, “**No** appointed member of any board or commission, any member of his or her immediate family, or a legal entity in which he or she has a substantial economic interest may bid on or enter into . . . any contract, subcontract, or other transaction under the jurisdiction of the agency of the appointed member.” The Code makes the strong statement that **these persons “may not be in any way interested in” such transactions.**

Miranda has given Jesse good advice. When immediate family members want to be involved, *beware*. Jesse should not assume he knows the answer in this situation.

True or False

Rebecca Chase does *not* serve on a board or commission. She manages cafeteria services for Riverrun Parish Public Schools and helps make decisions about food service suppliers. Her sister's husband, Ed, runs a commercial kitchen equipment company. Under the Code, it is okay for Ed to place an **anonymous** bid to supply refrigerators for Riverrun Parish school system cafeterias.

False

Answer:

1. Under the Code, Ed is considered to be Rebecca's immediate family because he is the spouse of Rebecca's sister.
2. It does not matter whether a bidding process is anonymous or not, under La. R.S. 42:1113A(1)(a), immediate family members of the public servant are included on the list of persons who **may not** bid on or enter into any contract, subcontract or other transaction under the supervision or jurisdiction of the public servant's agency.



**STOP
&
THINK.**

Immediate family member
+ transactions with your agency = **NO**

Section 1113(D)(1)(a) covers legislators and others restricted from entering into any contract with the state government.

There is no allowable minimum value for contracts, subcontracts, or other transactions.

DISCLOSURE FOR PUBLIC SERVANTS

Public servants or their immediate family members who receive any thing of economic value from the following people must disclose the income to the Board of Ethics:

- A person regulated by the public servant's agency
- A person who has bid on or entered into or is in any way interested in any contract, subcontract, or other transaction under the supervision or jurisdiction of the public servant's agency.

DISCLOSURE FOR PUBLIC SERVANTS

Reasons a public servant may need to submit a disclosure form:

- A person may have entered into a contract with an agency before becoming a public servant with that agency.
- A public servant may own an interest of 25% or less in a legal entity that has entered into a transaction with his agency.

DISCLOSURE FOR PUBLIC SERVANTS

NOTE: This
allow a p
serv Also
or a secti
inte exce
a co prof
jurisdict
agency.

**A person may be
fined \$100 per day if
the disclosure is not
filed by May 15th for
the prior calendar
year.**



COMPLICATIONS OF PARTICIPATION

Section 42:1112

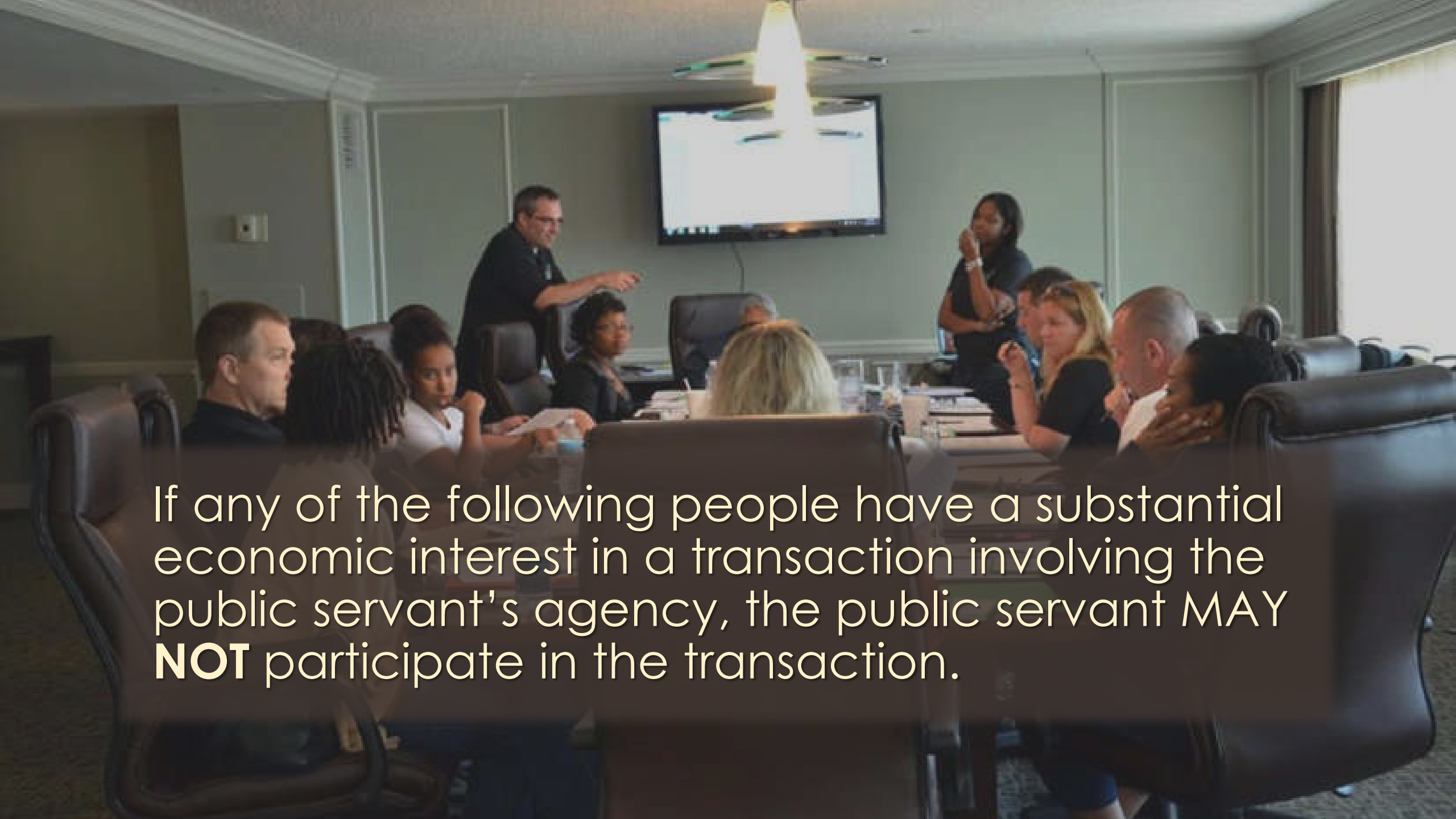


COMPLICATIONS OF PARTICIPATION

To “**participate**” means to take part in, or have or share responsibility for, an action of the governmental entity through:

- Approval
- Disapproval
- Decision
- Recommendation
- Rendering of advice
- Investigation
- Failure to act or to perform a duty

Remember: A “**governmental entity**” is the state, or any political subdivision, which employs the public employee or to which the elected official is elected.

A group of people are seated around a large conference table in a meeting room. A man in a dark shirt is standing and pointing towards a large screen on the wall. The room has a modern, professional appearance with a large window on the right side. The text is overlaid on the bottom half of the image.

If any of the following people have a substantial economic interest in a transaction involving the public servant's agency, the public servant **MAY NOT** participate in the transaction.

The public servant

A member of the public servant's immediate family

A legal entity in which he or she has a substantial economic interest

Any entity/person of which the public servant is an officer, director, trustee, partner, or employee

A person with whom he or she is negotiating prospective employment

A person who owes money to the public servant or to a legal entity in which he or she owns in excess of 25%, or who can affect the public servant's economic interests because of a contractual relationship with the public servant or the legal entity.

AVOIDING PARTICIPATION

Public employees can disqualify themselves to avoid participation problems.

AVOIDING PARTICIPATION

A young woman with dark hair, wearing a grey blazer over a light blue collared shirt, is smiling and talking on a mobile phone. An older woman with short white hair, wearing a dark patterned sweater over a white shirt, is smiling and measuring the young woman's shoulder with a yellow tape measure. The background is a blurred indoor setting with wooden shelves.

Elected officials must recuse themselves from voting. They may participate in debate or discussion.

A man in a light grey suit and white shirt is sitting at a desk, looking down and holding a pen to his chin in a thoughtful pose. The background is blurred, showing other people in a professional setting.

AVOIDING PARTICIPATION

Appointed members of boards or commissions must recuse themselves to avoid Section 1112 conflicts and may not participate in the debate or discussions.

COMPLICATIONS OF PARTICIPATION

Dr. Julietta Rios sits on the Board of Medical Examiners. Her brother's wife, Kat, is a doctor as well.

Unfortunately, the Board of Examiners has received a complaint against Kat that puts her medical license in jeopardy. At tonight's meeting, Kat's case will come before Julietta's board.

What should Julietta Rios do?



COMPLICATIONS OF PARTICIPATION

- A. Let her fellow board members know that Kat is her sister-in-law and she knows Kat is a good person.
- B. Recuse herself from the vote as well as all discussion of Kat's case.
- C. Tell her fellow board members that she will participate in the discussion, but she will not vote.



Answer

B. Appointed members of boards or commissions must recuse themselves to avoid Section 1112 conflict. They may **not** participate in the debate or discussion.





NEPOTISM

For the purposes of the Code, a nepotism violation occurs when an agency head hires an immediate family member.

NEPOTISM

Under Section 1119 of the Code of Governmental Ethics, agency heads may not hire their immediate family members to work at the agency head's agency.

NEPOTISM

Likewise, public servants may not work under an agency head who is also one of their immediate family members.

NEPOTISM

The nepotism rules do NOT prohibit...

The continued employment and normal promotional advancement of a public employee where a member of the public employee's immediate family becomes the agency head, provided that the public employee has been employed by the agency for at least one year prior to the public employee's immediate family member becoming the agency head.

Persons held liable for willful violation of the nepotism provisions:

- The agency head
- The member of the governing authority
- The person having the authority to hire and fire
- The immediate supervisor
- The family members involved

True or False

Public servants may not work under an agency head who is also one of their immediate family members unless the situation falls under an exception in the Code.

Alex Jordan runs the summer program at Riverrun Parish Recreation Department. His daughter, Emily, just turned 16 and would make an excellent camp counselor, but he knows he should not get involved with the hiring decision. Emily gets the job, and the HR manager gives her a head counselor position under her father. This is perfectly fine.

False

NEPOTISM

There are other exceptions to the nepotism restrictions listed in Section 1119.

These include school board members, legislators, and volunteer firefighters.

For a full list, please view the specifics of La. R.S. 42:1119.

Back in the Saddle Again

POST EMPLOYMENT RESTRICTIONS

A former agency head or elected official SHALL NOT, for a period of two years following the termination of his or her public service:

- Assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction, involving their former agency.
- Render any service on a contractual basis to or for their former agency.

Back in the Saddle Again

POST EMPLOYMENT RESTRICTIONS

For a period of two years after termination of their public service, former public servants shall not do the following:

Render any service which he or she performed at the agency during his or her term of employment, on a contractual basis with the former agency, regardless of the parties to, for, or on behalf of the agency.



Back in the Saddle Again

POST EMPLOYMENT RESTRICTIONS

Former members of boards and commissions may neither contract with nor be employed in any capacity by their former board or commission for two years after they leave their board or commission.





FINANCIAL DISCLOSURE FOR ELECTED OFFICIALS AND MEMBERS OF BOARDS & COMMISSIONS

- Candidates for state or parish government must also submit a personal financial disclosure statement to the Board, and will receive their forms upon qualifying.
- Each elected official should file only one statement annually, regardless of the number of positions that the official holds.

PERSONAL DISCLOSURE FOR ELECTED OFFICIALS



Tier 1

Statewide elected officials, secretaries of certain state departments, and designated members of the office of the governor must file Tier 1 Personal Financial Disclosure Statements.

LOUISIANA BOARD OF ETHICS
Post Office Box 4368
Baton Rouge, Louisiana 70821

TIER 1 PERSONAL FINANCIAL DISCLOSURE STATEMENT (ANNUAL)

I currently hold an office that would require me to file a Tier 2, Tier 2.1, or Tier 3 Personal Financial Disclosure Statement. As such, I have completed SCHEDULE K.

Reset F

Print F

This Report Covers Calendar Year: _____

ORIGINAL REPORT

AMENDED REPORT

FINAL REPORT WHERE TERM ENDS IN JANUARY (JANUARY 1 THROUGH JANUARY)

Final reports must be filed on or before May 15 of the year in which your service to that office ends. Refer to the "GENERAL INFORMATION" sheet of this form to determine eligibility.

Office/Position Held: _____

Name of Filer (print full name) _____

Address (residence) _____

City, State, Zip _____

Name of Spouse (print full name) _____

Spouse's Occupation _____

Principal Business Address _____

City, State, Zip _____

Check all that apply:

I have filed my state income tax return for the previous year.

I have filed for an extension of my state income tax return for the previous year.

I have filed my federal income tax return for the previous year.

I have filed for an extension of my federal income tax return for the previous year.

NOTE: La. R.S. 42:1124.1 does not provide you the opportunity to request an extension in filing your personal financial disclosure statement.

Certification of Accuracy

I do hereby certify, after having been duly sworn, that the information contained in this personal financial disclosure statement is true and correct to the best of my knowledge, information, and belief.

Signature of Filer

Sworn to and subscribed before me this ____ day of _____, 20____

Notary Public (print name)

Notary Public (signature)

ID# _____

Date Commission Expires _____

Tier 2

All state legislators, certain state boards, and all elected officials who represent a voting district with a population of 5,000 or more must file Tier 2 Personal Financial Disclosure Statements.

PERSONAL DISCLOSURE FOR ELECTED OFFICIALS

LOUISIANA BOARD OF ETHICS
Post Office Box 4368
Baton Rouge, Louisiana 70821

TIER 2 PERSONAL FINANCIAL DISCLOSURE STATEMENT (ANNUAL)

GENERAL INFORMATION

- ❖ You are required to file a Tier 2 Personal Financial Disclosure Statement if you serve as a *state legislator*; serve as an *elected official* representing a voting district with a population over 5,000; serve as a member of the *Board of Elementary and Secondary Education*; serve as the superintendent of the *Recovery School District*; serve as a member of the *Board of Ethics*; serve as a member of the *Ethics Adjudicatory Board*; serve as the *Administrator of the Ethics Administration*; serve as the executive director of the *Louisiana Housing Corporation*; or serve as a member of the *Board of Pardons*.
 - ❖ You are required to file a personal financial disclosure statement in the prior calendar year on or before **May 15** of each year you hold office, **AND** by **May 15** of the year following the termination of the holding of such office.
 - ❖ You are only required to complete *schedules* that are applicable to your personal financial status. If additional copies of the schedules are needed, copies are available at www.ethics.la.gov.
 - ❖ If you hold another position/more than one office that requires you to file a financial disclosure statement, you are only required to file one financial disclosure statement. Such financial disclosure statement shall be filed under the highest tier. Tier levels (highest to lowest): Tier 1, Tier 2, Tier 2.1, Tier 3. If you hold an office that would require you to file under Tier 2.1 or Tier 3, you must complete Schedule D.
 - ❖ If you file for an extension on your federal income tax, you may request an extension in filing your personal financial disclosure statement, IF a notice is received by this Board on or before **May 15**. The personal financial disclosure statement must then be filed within 30 days after your federal income taxes are filed.
 - ❖ If your holding of office ends in January, you may file your "final" personal financial disclosure statement for the days served in January, if the disclosure statement is filed on or before May 15 of the year in which your service ends. By filing this "final" personal financial disclosure statement, you are not required to file the year following the termination of the holding of such office.
- ❖ For additional information, call our office at 225-219-5600 or visit our website, www.ethics.la.gov, and view the *Disclosure --Frequently Asked Questions* section or the information sheets provided under *General Information --Publications*.
 - ❖ Acceptable methods for filing a personal financial disclosure statement:
 - Fax: 225-381-7271
 - Mail: Board of Ethics, Post Office Box 4368, Baton Rouge, Louisiana 70821
 - Commercial or Hand delivery: 617 North Third Street, LaSalle Building, Suite 1036, Baton Rouge, LA 70802
 - Upload via agency website: www.ethics.la.gov [pdf format only]

Tier 2.1

Each member and any designee of a member of a board or commission that has the authority to expend, disburse, or invest ten thousand dollars or more of funds in a fiscal year must file Tier 2.1 Personal Financial Disclosure Statements.

LOUISIANA BOARD OF ETHICS
Post Office Box 4368
Baton Rouge, Louisiana 70821

Reset F **TIER 2.1 PERSONAL FINANCIAL DISCLOSURE STATEMENT** Print F
(ANNUAL)

ORIGINAL REPORT **This Report Covers Calendar Year:** _____
 AMENDED REPORT

I currently hold an office that would require me to file a Tier 3 Personal Financial Disclosure Statement.
As such, I have completed SCHEDULE E.

Name of Filer (print full name) _____
Mailing Address _____
City, State, Zip _____

Name of Board/Commission (no abbreviations): _____
Date of Appointment: _____
Date Appointment Expires: _____

Name of Spouse (print full name) _____
Spouse's Occupation _____
Principal Business Address _____
City, State, Zip _____

CHECK ONE:
 Neither I, nor any member of my immediate family, have a personal or financial interest in any entity, contract, or business, or a personal or financial relationship, that in any way poses a conflict of interest, which would affect the impartial performance of my duties as a member of the board or commission.
 I have attached a statement describing any conflicts, and actions I am taking to resolve or avoid the conflicts.

Check all that apply:
 I have filed my state income tax return for the previous year.
 I have filed for an extension of my state income tax return for the previous year.
 I have filed my federal income tax return for the previous year.
 I have filed for an extension of my federal income tax return for the previous year.

NOTE: La. R.S. 42:1124.2.1 does not provide you the opportunity to request an extension in filing your personal financial disclosure statement.

Certification of Accuracy

I do hereby certify that the information contained in this personal financial disclosure statement is true and correct to the best of my knowledge and belief.

Signature of Filer
www.ethics.state.la.us

Revised June 2011 Form 417

Tier 3

All elected officials who represent a voting district with a population of less than 5,000, as well as charter school board members, must file Tier 3 Personal Financial Disclosure Statements.

LOUISIANA BOARD OF ETHICS
Post Office Box 4368
Baton Rouge, Louisiana 70821

Reset F

TIER 3 PERSONAL FINANCIAL DISCLOSURE STATEMENT (ANNUAL)

Print F

This Report Covers Calendar Year: _____

- ORIGINAL REPORT
 AMENDED REPORT
 FINAL REPORT WHERE TERM ENDS IN JANUARY (JANUARY 1 THROUGH JANUARY)
Final reports must be filed on or before May 15 of the year in which your service to that office ends. Refer to the "GENERAL INFORMATION" sheet of this form to determine eligibility.

Office/Position Held: _____

Name (print full name) _____

Address _____

City, State, Zip _____

Check all that apply:

- I have filed my federal income tax return for the previous year.
 I have filed for an extension of my federal income tax return for the previous year.
 I have filed my state income tax return for the previous year.
 I have filed for an extension of my state income tax return for the previous year.

NOTE: La. R.S. 42:1124.3 does not provide you the opportunity to request an extension in filing your personal financial disclosure statement.

Certification of Accuracy

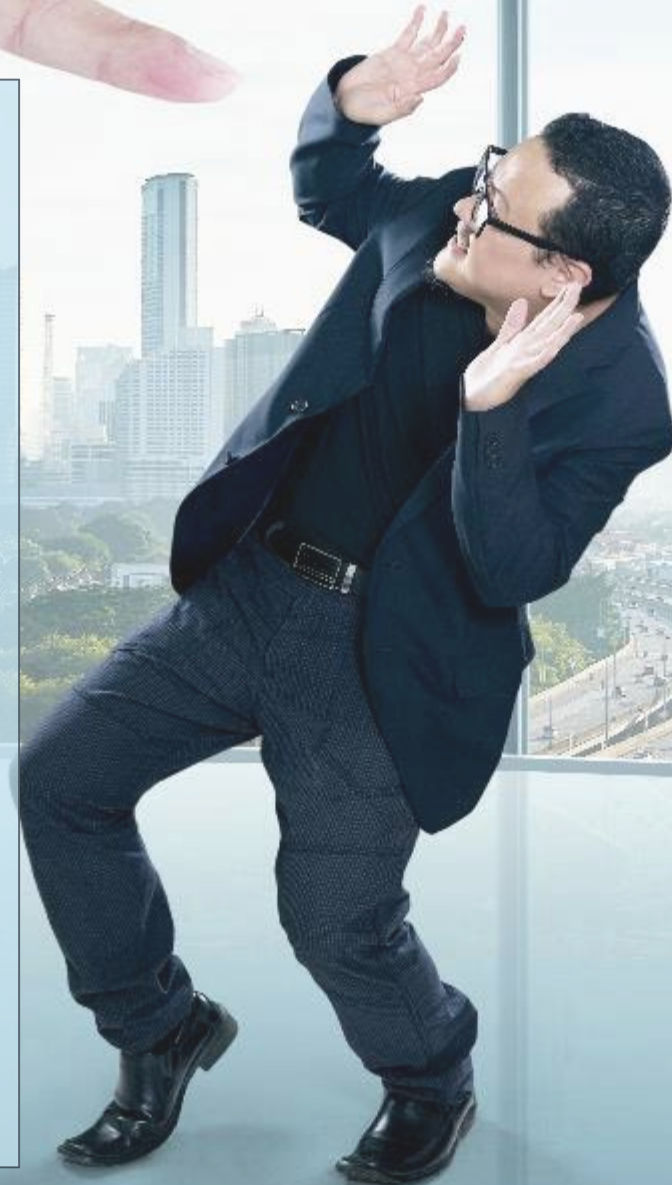
I do hereby certify that the information contained in this personal financial disclosure statement is true and correct to the best of my knowledge and belief.


Signature of Filer

ABUSE OF OFFICE

A Public Servant **MAY NOT**

- Use his or her office or position directly or indirectly to compel or coerce anyone to provide any thing of economic value to himself or herself or to another public servant or other person.
- Use his or her office or position directly or indirectly to compel or coerce anyone to participate in political activity.





**This covers the main provisions
of the
Louisiana
Code of Governmental Ethics**

Next?

**A quick look at how the Board of Ethics
enforces the Code**



WHAT IS THE BOARD OF ETHICS?

The Board of Ethics is an agency of the state of Louisiana. It is also a group of selected men and women who enforce Louisiana's Code of Governmental Ethics.



Board members are appointed or elected.

11 appointed members

7 appointed by Governor

2 elected by the Senate

2 elected the House

Uncompensated (not paid)

Addresses

P.O. Box 4368

Baton Rouge, LA 70821

LaSalle Building

617 N. Third Street

Baton Rouge, LA 70802



THE BOARD OF ETHICS: ADVISORY OPINIONS

- May be requested by any individual who has a direct interest in an issue arising under one of the laws under the Board's jurisdiction.
- The request must be submitted in writing.
- The request should be submitted prior to taking action. The Board will not render advisory opinions on past actions.
- Advisory opinions and requests for opinions are public record.



THE BOARD OF ETHICS: FILING COMPLAINTS

- May be filed by any individual 18 or older who is qualified to vote.
- May be sworn or non-sworn.
- Must be written and signed.
- **The issue must have occurred within the past four years.**
- Agency heads are required to report any potential violations.
(Section 1161)



PENALTIES

Violation of the Code of Ethics may result in . . .

1. Censure.
2. Forfeiture of any gifts and/or payments received.
3. Removal, suspension, reduction in pay, or a demotion of the public employee.
4. Up to a \$10,000 fine.

In addition to the statutory penalty, you may be fined the entire amount of economic gain from violating the Code, plus an additional 50%.

Any public servant who reports to the appropriate authority information that he or she reasonably believes indicates a violation of any law or regulation issued in accordance with the law or any other alleged act of impropriety related to the duties of public employment or public office shall be free from discipline or reprisal or the threat of discipline or reprisal by the public employer.

WHISTLEBLOWER STATUTE

Elected officials, agency heads, supervisors, or employees with the authority to hire, fire, or discipline another employee are prohibited from subjecting the public employee to reprisal or threatening to subject the public employee to reprisal, because of his or her efforts to disclose the alleged impropriety. If such actions are taken, the public employee should report it to the Board.

WHISTLEBLOWER STATUTE

Each agency head should ensure that a notice containing the information regarding the rights of employees under Section 1169 is posted, in plain language, in a convenient and conspicuous point in each building where more than ten public employees are employed.

WHISTLEBLOWER STATUTE



LOUISIANA ETHICS ADMINISTRATION PROGRAM

Search

- Home
- General ▶
- Disclosure ▶
- Campaign Finance ▶
- Lobbying ▶
- Training ▶
- Contact Us ▶



- Online Training ▶
- Live Seminars ▶
- FAQs
- [Search Training Attendance](#) (pdf)
- [Trainer/Liaison Portal](#)



- [Opinions Issued](#)
- [Charges Filed](#)
- [Forms](#)
- [Ethics Board Members](#)
- [About the Ethics Board](#)
- [Ethics Adjudicatory Board](#)
- [Online Ethics Training for Public Servants](#)
- [Ethics Administration Program Strategic Plan](#) (pdf)
- [Rules Promulgation](#)



Public servants may download their certificates themselves now from the Ethics website.

Louisiana Board of Ethics, public reports, and ethics related publications

Disclosure : Information about the various disclosure reports for elected officials and board members and links to view the submitted reports.

Campaign Finance : Links to the LEADERS software, filing deadlines, related laws and opinions, required reporting forms, and public records.

Lobbying : Links to the Lobbyist Online System, filing deadlines, related laws and opinions, and public records.

Training : List of seminars hosted by the Louisiana Board of Ethics and links to register for upcoming seminars.

Contact Us : Current mailing and physical addresses, phone and fax numbers, and an e-mail form for the Louisiana Board of Ethics. Includes contact information for the custodian of public records.



LOUISIANA ETHICS ADMINISTRATION PROGRAM

[Home](#) [General](#) [Disclosure](#) [Campaign Finance](#) [Lobbying](#) [Training](#) [Contact Us](#)

Search for Individuals who have Completed Training

Disclaimer: The information obtained from this search does not constitute the official record of the Louisiana Board of Ethics. This search function is intended as a resource for persons who are of the belief either they or employees under their supervision have taken the training to ensure the Board has record.

[View Full Disclaimer](#)

You must read and click "Ok" on the disclaimer in order to search for those who have completed training.

First Name:

Last Name:

Training Year:

Frequently Asked Questions

Why is my name not listed?

- Maybe you have not taken your training for the calendar year. Training is required each calendar year if you are a public servant in the State of Louisiana.
- Maybe the staff of the Board of Ethics misspelled it or your writing was illegible by the staff of the Board when entering your attendance. Try a variation (E.g. If your name is "Tobias Funke" maybe try searching for "To Fu")

Can I request a certificate of completion?

- If you took your training online and need a certificate, please Log-in [here](#). If you completed your training online this calendar year then a certificate will be available for you to print.
- If you took your training at a live session instructed by an employee of the Board of Ethics, you may request a certificate [here](#). Please allow up to sixty (60) days for processing of your certificate. If you attended a live session within the past sixty (60) days then please check back soon to see if your name is listed as the staff of the Board of Ethics is constantly updating these records.
- If you took your training by a certified trainer or a liaison with the Board of Ethics, please contact your agency's liaison or the person who conducted the training.

Where to Get More Information



Ethics Website
ethics.la.gov

Informal Advice

(225)219-5600

(800)842-6630

The background is a blue-tinted photograph of a forest. In the lower-left foreground, a person is walking away from the viewer. The trees are silhouetted against a lighter blue sky. The overall mood is serene and contemplative.

THANK YOU FOR YOUR ATTENTION.

Let's grow better government together.