Category: HR / Labor Relations Legal and Compliance Responsible Office: Human Resources	**Other Requirement Title:** Outside Activities of University Policy Makers Document Number: 8151 Effective Date: April 11, 1990 This procedure item applies to: State-Operated Campuses

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Summary

In accordance with the New York State Ethics in Government Act, the New York State Ethics Commission (State Ethics Commission or Commission) promulgated regulations governing the approval from the State Ethics Commission for permission to engage in outside activities. The outside activity regulations apply to state policymakers only, which for the State University of New York generally, are those employees at the level of dean and above at the state-operated campuses and associate vice chancellor and above in the University's system administration (system administration or system). Lists of campus and system policy-makers are available at the employing state-operated campus' or system's office of human resources.

Requirement

Background

As a state entity, the University must comply with the State Ethics Commission regulations governing outside activities by state policymakers and the receipt of honoraria and travel reimbursement by state officers and employees. The regulations (19 NYCRR Part 932) and the form to be used in seeking approval of outside activities should be distributed to affected employees.

Applicability

The limitations on outside activities apply to state policymakers only. Within the University, policy-makers generally are considered to be those employees at the level of Dean and above at the campuses and Associate vice chancellor and above in the system administration. The current list of policymakers for each campus may be obtained from the state-operated campus' or system administration's office of human resources.

General Requirements

All policy-makers are prohibited from serving as an officer of a political party or political organization or as a member of a national committee of a political party. The regulations further require that salaried policy-makers obtain the prior approval of their appointing authority (campus or system administration) and the State Ethics Commission before:

- holding other public office or engaging in other public employment for more than nominal compensation (defined as: greater than the normal per diem or $4,000 annually);

- engaging in any private employment, business or other activity (including not-for-profit) for more than the defined nominal compensation; and
- serving as director or officer of a for-profit corporation or institution, regardless of compensation.

Prior approval, limited to the campus or system administration, is required when salaried policy-makers engage in private employment or other activity for annual compensation between $1,000 and $4,000.

Approval of any request to engage in outside activities must be based upon consistency of the activity with the ethical standards in the NYS Public Officers Law §§73 and 74, and a determination that the activity does not interfere or conflict with the proper and effective discharge of the employee's responsibilities for the University (refer also to Policies of the Board of Trustees, Article XI, Title H, §4 [8 NYCRR §335.26]).

Procedures for Requesting Approval

1. Where both University and Commission approvals are required, requests are to be made on forms provided by the State Ethics Commission (see forms for Outside Activity Report, the Commission's form for requests).

2. At the campuses, request forms should be submitted first by affected employees to the president or the president's designee (requests involving the designee should be reviewed by the president). Requests for approval of outside activities involving a president should be submitted to the Chancellor. Those requests approved on campus should be transmitted directly to the State Ethics Commission for approval, with a copy to the Chancellor. Approved requests of a president will be submitted to the State Ethics Commission by the Chancellor.

3. Within the system administration, requests for approval of outside activities by other than the chancellor should be submitted to the vice chancellor for finance and business. The vice chancellor will submit approved requests to the State Ethics Commission directly. Separate procedures will be followed for the chancellor in accordance with the Board of Trustees' policy.

4. Where approval of the University alone is required by the regulations (i.e., request involving annual compensation from a private business of between $1,000 and $4,000), the official form can be modified or approval may be requested on a letter submitted by the employee. The same procedures as above should be followed except that no further approvals beyond the appropriate campus or System Administration officer are required.

Definitions

There are no special definitions relevant to this requirement.

Related Procedures

There is no related procedures relevant to this requirement.

Forms

Outside Activity Report

Other Related Information

The following links to FindLaw's New York State Laws are provided for users' convenience; it is not the official site for the State of New York laws.

NYS Executive Law §94 (State ethics commission; functions, powers and duties)

NYS Public Officers Law §§73 and 74 (NYS Ethics in Government Act)
In case of questions, readers are advised to refer to the New York State Legislature site for the menu of New York State Consolidated.

Board of Trustees Policies - Appointment of Employees (8 NYCRR Part 335)

19 NYCRR Part 932 (NYS Ethics Commission Regulations on Outside Activities)

Ethics in State Government - A Guide for New York State Employees

NYS Ethics Commission Advisory Opinions Relating to Outside Activities of all State Employees

Appendicies

There are no appendicies relevant to this requirement.