

PHILADELPHIA BOARD OF ETHICS

REGULATION NO. 7

ANNUAL AND ROUTINE ETHICS TRAINING

WHEREAS, The Philadelphia Code requires routine and mandatory ethics training as follows:

-- Subsection 20-606(1)(b)(i) sets forth a routine training requirement, providing the Board “shall develop and conduct routine and mandatory educational and training programs for all City officers and employees.”

-- Subsection 20-606(1)(b)(iii) sets forth an annual training requirement, providing “annually [] all elected City officers, all cabinet members, all City department heads, and all board and commission members, and their respective staff members as determined by the Board based on staff position, shall participate in an educational and training program conducted by the Board”; and

NOW THEREFORE, the Board of Ethics hereby adopts this Regulation No. 7 to provide additional interpretation of the annual and routine training requirements and establish procedures for implementing those requirements.

7.1 Initial training.

Pursuant to the Board’s duty to “develop and conduct routine and mandatory educational and training programs for all City officers and employees” and the Board’s “responsibility of training and educating all City officers and employees regarding the standards of conduct and ethics,” initial training shall be required of all City officers and employees, regardless of position, duties, or responsibilities. Accordingly, all City officers and employees who are employed by the City upon the effective date of this Regulation and who did not receive ethics training conducted or approved by the Board or the prior advisory Board of Ethics in 2006, 2007, 2008, or 2009 are required to receive initial ethics training within 120 days of the effective date of this

Regulation. All City officers and employees who are hired after the effective date of this Regulation must receive initial ethics training within 120 days of the effective date of their employment.

7.2 Annual training based on staff position.

Code subsection 20-606(1)(b)(iii) requires annual ethics training for “all elected City officers, all cabinet members, all City department heads, and all board and commission members, and their respective staff members as determined by the Board based on staff position.”

The Board determines that the annual training requirement shall be limited to “all elected City officers, all cabinet members, all City department heads, and all board and commission members.” The term “cabinet members” shall include those officials denoted in Charter Section 3-102, as well as any others whose names and titles are provided by the Mayor to the Board of Ethics, as members of the Mayor’s cabinet. Nevertheless, voluntary attendance by any City employee at ethics training is permitted and encouraged, and department heads and other supervisory officials may require certain key personnel to attend annual ethics training, in their discretion.

7.3 Format of training

Training programs developed and conducted by the Board shall include (1) programs developed and approved by staff of the Board for presentation by staff or others, such as departmental trainers; and (2) on-line training programs developed by staff.

7.4 Routine training

In addition to the initial training as provided for in Paragraph 7.1, officers and employees not required to receive annual training as provided in Paragraph 7.2 above shall be required to complete “routine” ethics training on a recurring basis as will be determined by the Board. The Board shall determine, by Resolution adopted at a public meeting, the interval to occur between such trainings, which may be variable. Some factors the Board shall consider in determining whether another round of training will be required of such officers and employees may include:

7.4.1 The number of any recent amendments to the Public Integrity Laws, and the degree of substantive change represented by such amendments;

7.4.2 The number of years since the last round of routine trainings;

7.4.3 Other significant events that may indicate that re-training is called for;

7.4.4 The availability and cost of available methods of providing training, such as on-line computer training;

7.4.5 The department of the employee; and

7.4.6 The job responsibilities of the employee.

Initially approved for public comment by Board October 21, 2009
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