



## CITY OF PHILADELPHIA

BOARD OF ETHICS  
PACKARD BUILDING  
1441 Sansom Street  
2nd Floor  
Philadelphia, PA 19102-3026  
(215) 686 - 9450  
FAX 686 - 9453

# MEMORANDUM

**TO:** All City Employees

**FROM:** J. Shane Creamer, Jr., Executive Director, Board of Ethics

**DATE:** March 27, 2008

**SUBJECT:** **Reminder - Financial Disclosure Forms**

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### **Financial Disclosure Forms must be filed by Thursday, May 1, 2008.**

The Board of Ethics, Central Personnel, Records, and the heads of the City departments, offices, and board and commissions, along with their human relations managers, have been working hard for several weeks to comply with the law, which requires many City officials and employees to file, by May 1, one or more of the 3 financial disclosure forms required by various provisions. The purpose of this message is to remind everyone of this requirement, and the approaching deadline, and to urge all City employees to make sure they are in compliance. We would like to address the most common questions that are frequently asked:

#### **1. What form do I file?**

There are 3 forms:

- The City of Philadelphia Statement of Financial Interests ("City Form"), a one-page form;
- the Mayor's Executive Order Financial Disclosure Statement ("Mayor's Form"), a 3-page form; and
- the Commonwealth of Pennsylvania Statement of Financial Interests ("State Form"), a one-page form with a yellow and white copies with carbon paper [unless you download it from the website] that has the State seal on the instructions cover page.

The City and Mayor's Forms have on the cover page a list of which City officials/employees file those forms. The State Form requires a consideration of job duties, and departments have been provided with a summary of the criteria for determining who files that form.

## **2. Can I file on line?**

Yes – to a point. You may access the forms on line, and enter the information, but you cannot click “Send” and file electronically. You must print the form and deliver it to the Records Department in Room 156 City Hall.

## **3. Where do I get a form?**

Your HR manager should have forms. Forms may also be downloaded from the CityNet home page. See “Financial Disclosure Forms” under Highlights. Make sure you have the correct form and that you download both the form and the instructions.

To file on line, use the web site. The web site to file your forms is <http://fds.phila-records.com/FDS>. You will be provided with a user ID and password. You can also retrieve these by entering your e-mail address into the web site using the “I Forgot” option. Use the “Register” option if you have no account and need to file.

## **4. What are the advantages to completing the forms on line?**

There are several key advantages to using the Financial Disclosure Web Site, including:

- You only have to enter your information once and it will appear on all the forms (if you are required to file more than one form)
- Your data is validated as you enter it and will be placed in the correct form section
- Your form’s overflow pages are automatically created
- You can import your information from Excel spreadsheets
- You will get a confirmation number that your forms were submitted
- Your information is saved and can be copied into amended forms or next year’s forms
- You can always go back to view or print your financial disclosure forms

## **5. What if I have questions about how to complete a particular line on the form?**

First, make sure you have a copy of the instructions that accompany the forms. You should receive the instructions with your form from your HR manager, or if you download the form from the Records Dept. website, please also download the instructions. Then carefully read the instructions for each line on the form. If you still have questions, you may call or e-mail the Ethics Board’s General Counsel, Evan Meyer, at (215) 686-9450; e-mail: [evan.meyer@phila.gov](mailto:evan.meyer@phila.gov).

## **6. Where do I file my form?**

All forms, even the State Form, are filed in the same place: The Records Department in Room 156 City Hall.

## **7. Do I have to give a copy of my form to my supervisor?**

Yes, Mayor’s Executive Order No. 1-90 requires all City employees to provide their supervisor with a copy of their form. Supervisors are required to review forms for completeness, timely filing, and to identify any apparent conflicts of interest.

**8. Why do I have to file the State Form, if I wasn't given it last year?**

It is important to keep in mind that the requirement to file the form is a requirement of state law and it is a violation for any employee identified in that statute to fail to file, even if the individual's government failed to provide him or her with a form or failed to include them on a list of required filers.

**9. Is it really legal for the government to require me to disclose my finances?**

Yes. These requirements have existed for at least 20 years, and every year hundreds of City officials comply. Numerous court opinions have held that governmental employers may permissibly impose ethical requirements on their employees. If you wish formal legal advice or to challenge the application of the law to you, you may contact the Law Department or the State Ethics Commission.

**10. I own a lot of stocks. Do I have to list the name and address of each company that paid me a dividend?**

Yes, if the amount from that company exceeds the threshold amount. Please read the instructions carefully. Note that the instructions may differ for different Forms. Income means gross income.

It is important to note that substantial penalties may result from failure to comply with State and City disclosure requirements. To avoid these penalties, financial disclosure forms must be filed with the Records Department, Room 156 City Hall, **NO LATER THAN 5 PM, MAY 1, 2008.**