

CONFIDENTIAL CITY INFORMATION

The [Code](#) prohibits a City employee from directly or indirectly disclosing or making available confidential information concerning the property, government, or affairs of the City without proper legal authorization for the purpose of advancing the financial interest of any person.

FINANCIAL DISCLOSURE

Many City employees are required to file annual public financial disclosure forms disclosing certain gifts, sources of income, and other financial interests. The most commonly required form for City employees is the State Ethics Commission Statement of Financial Interests. Whether a City employee needs to file this State Form, the City Form, or the Mayor's Form depends on the employee's City position and duties.

It is the individual responsibility of each City employee to comply with financial disclosure filing requirements. The filing deadline is generally May 1 of each year the employee works for the City as well as the year after leaving City employment. [Frequently Asked Questions](#) about financial disclosure are answered on the Board's website.

POST-EMPLOYMENT

Post-employment restrictions apply to a former City employee's activities in a private capacity after leaving government service. A former City employee is prohibited from engaging in various activities related to former City work. The restrictions that may apply impose certain limits on: (1) acquiring a financial interest in official action the former employee took in an official capacity; (2) assisting with a matter in which the former City employee participated during City employment; and (3) representing any person for pay before the employee's former governmental body.

For details, see the [Overview of Post-Employment Restrictions for City Officers and Employees](#) that is available on the Board's website.



Ask for Advice

215.686.9450

www.phila.gov/ethicsboard

The application of ethics restrictions is fact-specific. For guidance regarding your situation, please contact the Board of Ethics by using the [Ask for Advice](#) feature on the Board's website or by calling 215.686.9450. This educational pamphlet provides only an overview and is not a comprehensive guide to legal requirements.

Report a Potential Violation

If you believe that someone may have violated the ethics restrictions, please use the [Report a Concern](#) feature on the Board's website or call 215.686.9450.

City of Philadelphia Board of Ethics

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An electronic version of this pamphlet with live links is located at:

www.phila.gov/ethicsboard/PDF/EthicsPlainLanguageGuide.pdf

October 2018

PHILADELPHIA BOARD OF ETHICS



OVERVIEW OF ETHICS RESTRICTIONS FOR CITY EMPLOYEES

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The Philadelphia Board of Ethics is charged with interpreting, administering, and enforcing Philadelphia's Public Integrity Laws. The Board was established as an independent, five-member City board in 2006 through voter approval of an amendment to the Philadelphia Home Rule Charter. The Board has authority to issue advisory opinions and regulations, provide training and advice, conduct administrative and judicial enforcement actions, and impose monetary penalties.

www.phila.gov/ethicsboard

INTRODUCTION

All employees of the City of Philadelphia are subject to ethics restrictions in The Philadelphia Code and The Philadelphia Home Rule Charter. This pamphlet is not comprehensive and provides only a brief overview of key Code and Charter restrictions under the jurisdiction of the Philadelphia Board of Ethics. More information can be found on the [Board's website](#). City employees may also be subject to ethics restrictions not described here, including the State Ethics Act, Executive Orders, and departmental policies.

For guidance on a specific situation, a City employee should ask the Ethics Board by using the online [Ask for Advice](#) function or by calling 215.686.9450.

City employees should consult with their HR managers about receiving ethics training, which is required for new employees.

GIFTS & GRATUITIES

The [Code](#) prohibits a City employee from accepting monetary gifts in any amount or non-monetary gifts worth more than a total of \$99 per calendar year from any person who: (1) is seeking official action from that City employee; or (2) has a financial interest close in time to when the gift is received that the City employee is able to substantially affect through official action. A City employee may accept, but not solicit, certain gifts that fall within one of the [exceptions](#) to this general rule. A City employee who accepts a gift may be required to make a disclosure on applicable financial disclosure forms.

The [Charter](#) prohibits a City employee from accepting or soliciting a gratuity, which is a gift given to thank an employee for an act or omission in the course of City work.

[Template letters](#) for returning unwanted or prohibited gifts and gratuities are available on the Board's website.

A summary entitled [Key Points for City Officers and Employees Regarding Gifts](#) is available on the Board's website.

CONFLICTS OF INTEREST

The [Code](#) prohibits a City employee from taking official action when any of the following has a financial interest:

1. the employee;
2. the employee's parent, spouse, life partner, child, sibling, or like relative-in-law;
3. a private client of the employee;
4. a for-profit business of which the employee is a member;
5. a fellow member of such a for-profit business; or
6. a prospective employer, under certain circumstances.

Official action is any non-ministerial act or omission made in an official capacity. An action that does not require any exercise of judgment or discretion is ministerial and is not official action.

A City employee with a conflict of interest must follow a public disclosure and disqualification [procedure](#). For conflicts that do not involve legislation, an employee must file with several City entities a public disclosure and disqualification letter:

1. identifying the employee's name, City position, and City duties relevant to the conflict;
2. describing the financial interest or relationships that give rise to the conflict; and
3. stating that the employee intends to be disqualified from taking official action in the relevant matters.

During City employment and for two years after leaving City employment, a City employee is prohibited from becoming financially interested in official action the employee has taken.

A summary entitled [Overview of City Conflict of Interest Provisions](#) is available on the Board's website.

INTERESTS IN CITY CONTRACTS

The [Charter](#) prohibits a City employee from soliciting, benefitting from, or being directly or indirectly interested in certain City contracts regardless of whether a connection exists between the employee's official duties and the contracts. This restriction applies to City contracts paid by City Treasury funds for the supplying of services, the purchase of property of any kind, or for the erection of a structure.

REPRESENTATION IN CITY TRANSACTIONS

The [Code](#) prohibits a City employee from representing another person directly or indirectly as that person's agent or attorney, whether or not for compensation, in any transaction involving the City. Transactions involving the City include matters that may be subject to City action, involve the City as a party, or involve a direct proprietary interest of the City.

Several exceptions exist to the representation restriction. For example, the representation restriction does not apply to assistance provided as part of a City employee's official duties.

POLITICAL ACTIVITY

Under the [Charter](#), City employees are subject to various restrictions on their political activity. Political activity is activity that is directed toward the success or failure of a political party, candidate, or partisan political group.

For example, City employees may not:

1. engage in political activity in coordination with a political party, candidate, or partisan political group, such as by volunteering for a candidate's campaign;
2. engage in political activity while on duty, in City uniform, or using City resources;
3. use title, status, or position as City employees for political purposes, including requesting or suggesting that a subordinate employee participate in political activity;
4. be candidates for public elective office or political party office; or
5. be in any manner involved in collecting or soliciting contributions intended for a political purpose.

[Board Regulation 8](#) details the restrictions and provides helpful definitions and examples. [Frequently Asked Questions](#) on the political activity restrictions are answered on the Board's website.

Note that the political activity restrictions apply differently to elected officials and City Council employees.