

THE CITY UNIVERSITY OF NEW YORK

Office of the General Counsel and Vice Chancellor for Legal Affairs

535 East 80 Street, New York, N.Y. 10021
212/794-5382



Personnel Advisory
Memorandum #2

September 18, 1990

Memorandum

SUPERSEDED

See PAM #1 Revised

To: Senior College Presidents
From: Vice Chancellor Robert E. Diaz *RD*
Re: Supplement to Personnel Advisory Memorandum
Regarding Outside Activities

On July 25, 1990 I sent you Personnel Advisory Memorandum No. 1. In that memorandum I informed you of the requirements of the recently issued regulations pursuant to the State Ethics Law. Not addressed in the memorandum was the question to whom the President of a College should submit a request for approval of his or her outside employment. Please be advised that senior college presidents are to submit such requests to the Chancellor.

If you have not as yet notified covered employees in your institution of their obligation to obtain your approval for certain outside employment you may want to use the attached draft notification letter for that purpose, which may be addressed to individual employees. Covered employees should be notified immediately.

Requests for approval of outside activities of more than \$4,000 if approved by the college president, should be submitted to this office as soon as possible for transmission to the State Ethics Commission. We will call you if we have questions about an approval. If you have questions about a request for approval, you should fax the form to me, and I will endeavor to respond to your inquiry within 48 hours. Requests for approval of \$4,000 or less should be retained at the college.

Questions have been raised about whether the request for approval forms will be subject to public disclosure. The information set forth in the annual Financial Disclosure Statement filed with the State Ethics Commission is subject to public inspection except for the categories of value or amount, and any information deleted through the appeals process. Consistent therewith, requests for approval of outside activities which receive final approval will be subject to public disclosure, but denials will not.

cc: Deputy Chancellor Laurence F. Mucciolo

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[Date]

Suggested Notification
Memorandum

To: Name [Covered Employees]
From: President
Re: State Ethics Law: New York State Ethics Commission
Regulations Regarding Outside Activities of Employees
in Policy Making Positions

I write to you as a senior college employee who is required to file a Financial Disclosure Statement and will now be subject to new State Ethics Commission regulations requiring the approval of certain outside activities. The following titles and functions are covered: Executive Compensation Plan titles, REM titles, Affirmative Action Officer, Director of Public Relations, Director of Security, SEEK Directors, Director of Administrative Computing, Business Manager, Personnel Director, Purchasing Director, Grants Officers, University Chief Architect, University Chief Engineer, University Assistant Chief Architect, University Assistant Chief Engineer, and Administrative Superintendent of Buildings and Grounds.

Enclosed for your review and compliance are the following:

I. Memorandum dated July 25, 1990 from Vice Chancellor Diaz to the College Presidents summarizing the conflict of interest provisions of the State Ethics Law and the new State Ethics Commission regulations requiring approval of most outside activities of employees in policy-making positions. Pursuant to the regulations, employer approval will be required for all private sector outside activities for which more than \$1,000 in annual compensation will be received. Approval is required for public sector employment where the

amount earned is more than \$4,000. Approval is required for employment by the Research Foundation or other University or college related entities, but not for additional employment directly by the University such as by another college. Requests for over \$4,000 must also be approved by the State Ethics Commission. Attached to the July 25, 1990 memorandum is the request for approval form and the regulations.

Please read the materials carefully. Requests for approval should be submitted to [insert name of appropriate person] no later than October 15, 1990.

I have been advised by The Vice Chancellor for Legal Affairs that the University is taking the position that requests for approval which receive final approval will be subject to public disclosure, but denials will not.

II. A booklet published by the State Ethics Commission containing the provisions of the State Ethics Law applicable to senior college employees.

III. Form for Approval of Honoraria and Travel Reimbursements. This form was previously circulated with a memorandum dated March 17, 1989 distributing regulations requiring the approval of honoraria and travel reimbursements. The rules generally prohibit senior college employees from receiving honoraria and travel reimbursements from a person or organization which negotiates with (e.g. unions), does business with, or has contracts with the University. If you need a copy of the regulations, please call [insert name of appropriate person].