

THE VOICE OF ETHICS

A Publication of the Ohio Ethics Commission

2024 Quarter 4



*Winter
Wonderland*

The Holidays and the Ethics Law

*Four calling birds...
Three French hens...
Two turtle doves...
And a call from the Ethics Commission!*

Okay, granted, receiving exotic-sounding birds may not be at the top of your holiday wish list. But if you have wondered if accepting gifts could result in a visit or phone call from the Ohio Ethics Commission, we have a convenient and thorough resource for you!

Our newly re-vamped information sheets include a comprehensive overview of everything [gift-related](#), including a chapter regarding holiday gifts and the Ohio Ethics Law. This helpful document also contains information on topics ranging from general gift restrictions, gifts from the private sector, discounts, donations, and much more.

So, however you celebrate the holidays – carving the turkey, spinning the dreidel, or singing Christmas carols – be sure to comply with the Ethics Law so you only ponder drummers drumming, pipers piping, and lords a-leaping instead of investigators investigating!



2025 is Almost Here!

As we prepare to say “goodbye” to 2024, don’t forget there is still time to complete your Ohio Ethics Law training before the clock strikes midnight on December 31!

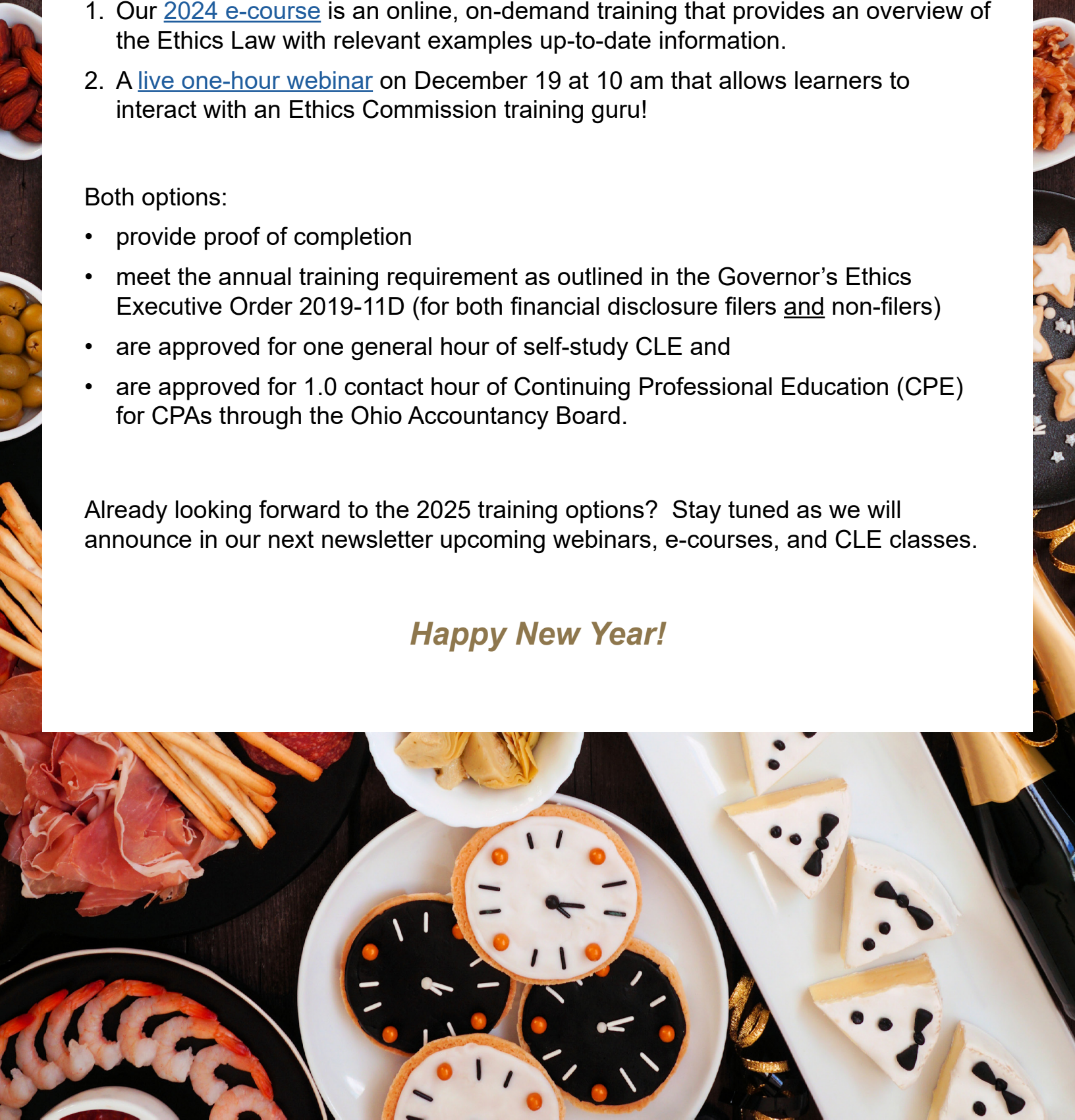
1. Our [2024 e-course](#) is an online, on-demand training that provides an overview of the Ethics Law with relevant examples up-to-date information.
2. A [live one-hour webinar](#) on December 19 at 10 am that allows learners to interact with an Ethics Commission training guru!

Both options:

- provide proof of completion
- meet the annual training requirement as outlined in the Governor’s Ethics Executive Order 2019-11D (for both financial disclosure filers and non-filers)
- are approved for one general hour of self-study CLE and
- are approved for 1.0 contact hour of Continuing Professional Education (CPE) for CPAs through the Ohio Accountancy Board.

Already looking forward to the 2025 training options? Stay tuned as we will announce in our next newsletter upcoming webinars, e-courses, and CLE classes.

Happy New Year!



Supplemental Compensation

The provision of the Ethics Law known as “Supplemental Compensation” ensures that public servants are not subject to divided loyalties when performing their public duties. This provision of the Ethics Law prohibits public servants from accepting anything of value, from any source other than their public employer, as compensation for the performance of their public [duties](#). It makes no difference whether it’s given to compensate the official or employee for some specific action or decision, or just for the general performance of job duties.

The Ethics Law does not prohibit government officials and employees from accepting a promotional item, such as a pen, pencil, or calendar, or a gift of nominal or de minimis value. However, all public servants are prohibited from accepting any gift from any person if the gift is given to provide payment in return for the performance of official duties.

To summarize this provision of law, public officials and employees should assume that nobody may augment their public salaries, either with money, gifts, the payment of travel expenses or any other form of supplemental compensation.



What is the purpose of the Supplemental Compensation restriction?

Prohibitions against public officials and employees from being compensated from sources other than their own public employer ensures that they are not subject to divided loyalties when performing their public jobs.

What is a “public servant” for purposes of Supplemental Compensation?

A “public servant” is any person who is elected, appointed, or employed by any governmental entity, and any person performing a governmental function - such as a juror, a member of a temporary commission, an arbitrator, an advisor, or a [consultant](#).



What is a “compensation” for purposes of Supplemental Compensation?

“Compensation” includes anything of value, such as wages, payments, cash, gifts, and travel expenses, provided to a public servant in exchange for an act or service within the performance of their official [duties](#).

What does this part of the law prohibit?

A public servant cannot accept anything of value from any person, company, or other entity or association, other than the public agency he or she serves, if it is given with the intent to compensate him or her for some action, inaction, or decisions of the official in the performance of his or her public duties or if it is given for the general performance of or as a supplement to their public duties.



What are the penalties for Supplemental Compensation violations?

A person convicted of accepting supplemental compensation can be found guilty of a [first-degree misdemeanor](#) and is also prohibited from holding public office, public employment, or any position of public trust for seven years after the [conviction](#).



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