



The Voice of Ethics Podcast Transcript

May 2026 Episode

Side Hustle Main Event

Susan: Hello ethical people! I'm Susan Willeke of the Ohio Ethics Commission, welcoming you to The Voice of Ethics, the podcast where we dive into stories about ethics in government. Here at the Ethics Commission we provide numerous ways for people in public service to understand more about the Ethics Law – fact sheets, speeches, webinars, e-courses, newsletters, and, of course, this podcast is our newest iteration of getting the word out about the Ethics Law, and the ways the Commission can assist you in better understanding and complying with that law.

So everybody – I'm so happy to have you here. But in addition to being happy that you're all here, I'm also happy that my colleague and co-conspirator in all ethics things,

Nick: What up Ethics fam? It's your boy, Nick.

Susan: Yes, Nick Rohrbaugh is in the house again today, everybody.

Nick: Hey, everybody, it's Nick. How you doing?

Susan: Yeah. Nick is the brains and the brawn and the brilliance behind

Nick: And beauty! Don't forget the beauty *laughs*

Susan: And the beauty behind everything on our website and e-courses and all the behind the scenes stuff. He's the one that edits these podcasts and makes them pretty and beautiful.

Nick: Yep, yep.

Susan: A friend of mine, Nick, I don't know if I ever told you this story, once said, how impressed he was, that how I do these podcasts. And I was so flattered until the very things that he mentioned that he enjoyed were none of the stuff that I do! He was like, "the music and the sound effects," and all this and I was like, yeah, I don't, I don't do any of that stuff.

Nick: Yeah, I can assure you that people aren't clicking play on the podcast to hear my sound effects. They want the real deal, the real dirt from Susan Willeke.

Susan: The real deal and dirt. Well, let's let's talk deal and dirt today. I will actually tell you, so, a lot of people probably know this already, but one of the things that the Ethics Commission does, that we have the statutory authority to do, is to issue Advisory Opinions, that people can get literally free legal advice from the Ethics Commission because they want to do the right thing under the law.

So all the Formal and Informal Advisory Opinions that we've ever talked about on this podcast, dating back to 1974, are on our website. So everybody check them out. They're wonderful. They're often even in the show notes. So we haven't done this a lot. But there is an Advisory Opinion that I wanted to highlight today because, Nick, you and I, this is probably one of the ones we reference the most often in speeches, wouldn't you say?

Nick: Yeah, yeah

Susan: Yeah yeah. So this one is called, we often refer to it as the “outside employment” Advisory Opinion. But technically it's listed on our website as 96-004.

Nick: Oh, everybody write that down. Get your pens out.

Susan: And there is a really secretive, top secret, you know, code blue way that we name these Advisory Opinions. Nick. Why was it called 96-004?

Nick: Uhhh, was it the fourth opinion written in 1996?

Susan: There you go, you cracked the code. Right? Yeah. So that, that, it's on our website. And even though, you know, all due respect to every Advisory Opinion that's ever been issued, this is one that we go back to over and over again, because in all fairness, it's not uncommon that people in public service have an outside job, or they work part time there, or they do consulting, or they own their own business.

Sometimes it's even a full time thing, right? Because in fairness, Nick, you and I are full time public employees. So any outside employment we have probably on the side. It's not uncommon, though, that there are also folks in public service that they have a full time job. Right? If I, if I'm on a school board, if I was elected township trustee, if I have volunteer to serve on that park board or that public library board, you know, that's not going to pay the mortgage or send any kids to college, so they have their own jobs, it's perfectly understandable.

But that's why this issue comes up a lot, of, you know, how do I make sure those two parts of my life don't get melded into one? Or that as, as Shakespeare said, you know, “Never the twain shall meet.” So this Advisory Opinion gets into that of, what are things I need to be aware of in my public role that impact or somehow involve my outside job or life.

So this one gets into that, it's kind of the Cliff Notes of getting into the whole “all the things I cannot do.” Some of them are really, I think, obvious. Like public time - I can't use public time. Nick, what would be an example of somebody using their public time incorrectly for their outside job, right?

Nick: Well, you know, if you're if you're a real estate agent taking a phone call about the house that you're helping them purchase

Susan: And I'll even take it a step further, okay. So I can't use public time like you just said, and I can't even use public resources

Nick: I can't make the call on my cell, state cell phone?

Susan: There you go. There you go.

Nick: *snaps fingers* Dang it

Susan: Right right right. But even, you know, other things like, you know, just things that might feel so innocuous at first. No, I can't go use the county copy machine in the county office that I work in to run off fliers for my underwater basket weaving business kind of thing.

So those, those might seem a little more obvious. There are other parts, though, of this, Advisory Opinion that even get into things like using my title, right?

Nick: My title?

Susan: My title! Or things like uniforms.

Nick: Uniforms.

Susan: Uniforms. So let's say that, okay, Nick, give me an example of who wears a uniform in their public service.

Nick: Park rangers!

Susan: All right. Oh, you don't know anything about park rangers. Do you? Why do you know about park rangers?

Nick: Yeah, as I mentioned in a previous episode, my wife is a ranger, or was a ranger. She's now an assistant park manager at a metro park in the Columbus area here.

Susan: Brownie points for bragging about his wife getting a promotion, "just sayin'" yeah right?

Nick: Eyy, yeah, my wife, she got the promotion! Very recently! So I'm very proud of her.

Susan: Okay, so what is something that your wife and colleagues in her world are kind of considered experts on? What's something they know a lot about that I, as a non-park ranger, wouldn't know as much about?

Nick: Getting raccoons out of a dumpster *laugh*

Susan: Okay! Really? Oh ick gross, okay, but I love that example! Okay, that's a great example! Okay, now let's say your wife wants to start a business in her private life of removing vermin or critters from your attic, from your

Nick: Yeah! Okay! I'm picking up what you're putting.

Susan: All right. Okay. What does that mean your wife cannot do?

Nick: She couldn't show up in her uniform.

Susan: Right, right

Nick: She couldn't take a picture in her uniform pulling a raccoon out of the biggest dumpster at Franklin County Metro Parks and put that on the on the front of her web page. Park rangers do way more than raccoon related stuff!

Susan: That sounds like a dangerous part of the job, aren't raccoons mean? When they're cornered?

Nick: I mean, I guess any wild animal is not PLEASED about being cornered

Susan: I guess I'd be dangerous if I were cornered. All right. Okay, that's a great example. Okay, here's another one. Someone using their public position to try to get a favorable decision or ruling. We had a settlement agreement once against a county employee, that she was head of a county agency, but she had legal guardianship of a grandson who received some services from a different county entity in that same county. And she would use both her title, county letterhead, use her public phone to try to get a favorable outcome for her grandson.

Nick: Yeah

Susan: And to me, that's one of those cases of, you know, she's not a bad person.

Nick: Yeah, that would be, that would be very tempting. You know, you gotta admit.

Susan: Oh yeah. If you're taking care of, your grandson who has some special needs, and I totally get it, but that would be one of those examples. Now, so, that one, I think, is an example that you can kind of go, "Aww" you feel, "I know it was wrong, but I feel for you."

Then we come across examples that you're like, there's no way in the world that you're going to convince me this was not a bad idea. You knew this darn well. And so this story actually comes from Massachusetts, from a jail, right?

Nick: Ah, Massachusetts, yes, this is that jail guy?

Susan: Yeah

Nick: Yeah. So, deputy superintendent of a jail, it was a pretty big jail. And they had some plumbers on staff. And this deputy superintendent, he he was doing some home renovations, renovating two bathrooms and had some of the plumbers from the jail go work on his home, work on the bathroom, hook up a hot water tank.

Like, come on, dude.

Susan: That's a great deal if it's not illegal!

Nick: That would be, I would kill for that. Can we get some plumbers on the staff here? Because I have learned over the years that I make plumbing issues 100 times worse. If I touch it, so.

Susan: So if there are any plumbers are out there listening, stop by Nick's house, right, he needs some help. Yeah.

Other things this Advisory Opinion talks about - even things like getting some sort of benefit, some sort of fee, services rendered for my public capacity. Like, I remember, I remember there was a - I can't remember what state this happened in, I go to a national conference, every year you guys and I learn other ethics stories. I can't remember which state this was in that I believe it was a fire chief who was getting commission fees or commissions, is that what you call them, commissions? You get extra bonus or whatever.

Nick: Oh, yeah.

Susan: Because he he was a salesperson for this outside company that sold, I can't remember if it was equipments or uniform, but he was kind of, you know, he wasn't the one securing the contract. That was somebody else making the decision. But he was the sales guy, so he was getting commission sales. Now, that wouldn't be a public contract violation, for everybody that's astute on the Ethics Law, because he didn't secure the contract, but he did get fees.

So even things like that or other things like, that I'm advocating in my public life for this company that I work for, part time, these are all problematic under the Ethics Law. So this is a great Advisory Opinion, there's a million out there. We may yet, this next year or two kind of break down some other Advisory Opinions, but for our first one of actually breaking down an Advisory Opinion, we really wanted it to be this because it's one that we go back to, I think our advisory attorneys will tell you, they go back to over and over. And again, this is not trying to dissuade anyone from pursuing outside passions or interests or continuing a career and thinking, oh, I can't be in public service if I have another job. Not at all. It's just always it's not whether or not we do it, it's how we do it.

Nick: Yeah, yeah.

Susan: At the end of the day, that's what it really comes down to. Because for those of us that this has been our careers, I really want our legacy to have been that we did our jobs with integrity. For people who are doing public service in addition to their full time job or whatever, I never want to dissuade anybody from being involved in the civic process. Just do it in a way that represents you well, protects your agency, and on a broader scale represents the public and protects the public well, too.

Nick: Do the right thing.

Susan: Do the right thing.

Nick: Okay. All right. I got *laugh* I got one more

Susan: I don't have, I have no forewarning everybody I just want you to know that this is not this is not pre-planned, I have no idea what Nick's about to say.

Nick: I got one more story for you here, Susan.

Susan: Okay, okay

Nick: Okay, so I'm from a very, very small rural town in a, in a neighboring state. Actually, not even neighboring. It's like two states away. Okay? I don't want to give too much information. I don't want to give too many details,

Susan: All right.

Nick: But I got a little story here, because in my home town, I, I have some friends and family that work in local government, okay. And there has been kind of a story happening there where a, let's see, he's not a county commissioner. He was in charge of development. Okay. Economic development, okay. For the county. All right.

Susan: Okay. County employee.

Nick: County employee. Yeah. So county employee and he had recently been caught, he was delivering Amazon packages.

Susan: Like on the weekends.

Nick: No no no no no no. No, I wouldn't tell you this story,

Susan: That would be way less fun.

Nick: Delivering packages in a county vehicle on county time during the workday.

Susan: Oh. My. Gosh.

Nick: Literally wearing a polo with the county, like, crest on it with his badge dangling.

Susan: Okay, so he's unethical and kind of stupid, too.

Nick: Absolutely. 100%. Okay, so yes, this guy was delivering Amazon packages during work time. Okay. Now, he was caught because there were photos on Ring camera where he was delivering a package. And someone that got the notification said, "Hey, that guy looks familiar. Hey, that vehicle looks familiar... because my neighbor is the chairman of the county commission."

Susan: Oh my gosh.

Nick: So they reached out and said, "Hey, is this one of your guys?" And they said, sure enough, "That is the head of economic development."

Susan: Unreal.

Nick: It was a six figure job. This is not a pencil pusher in an office. This is a guy that is in the local small town newspaper every time the local dealership is celebrating their 40 year anniversary, he's there shaking hands and giving a plaque or whatever. He is very visible.

Susan: Unbelievable, unbelievable

Nick: He's out there trying to trying to sneak this around.

Susan: I...it...that's one that's hard to climb into someone else's brain to figure out how this person, A) could possibly justify that in their brain, but, B) how they honestly did not think that this was going to be revealed and get caught. If people are listening to that story thinking, "Well, everybody knows that would be against our policy at our agency." That's great. I'm glad to know that we all are aware of policies and things, but be aware we're not just talking about a policy. In Ohio at least that would be illegal. It's actually a violation of the Ohio Ethics Law, which is a criminal law that says we cannot use public time, public equipment, public resources - boy, that story hits them all! Everything we just talked about!

Nick: It does!

Susan: Your influence and your badge and your name and your title and your car and everything.

Nick: He did it all.

Susan: What a betrayal for the public, too.

Nick: Yup. You hate hearing stuff like that.

Susan: There's no level on which that's not offensive.

Nick: Yeah.

Susan: As a taxpayer, as a person with common sense, as a citizen and also, you know, as people in public service, like you said, it makes us all look like we're just, you know, and that's just not true. That's just not, so many of us, you know, people listening to this we know you work hard.

Nick: Yeah, absolutely.

Susan: The work that you do makes a difference. It's positive and it's just offensive on every angle. But yeah. But I guess it helps when the criminals are stupid because they, it makes it easier to catch them, I suppose. Right?

Nick: Yeah yeah

Susan: I hope, I hope the message we haven't given on this episode this time is, be wiser and more coy in how you, cover up. We're not, that's not the message here. Just don't do it.

Nick: Don't do it.

Susan: Just don't do it.

Nick: But like you said, you know, I had never really, prior to the Ethics Commission, the example of my wife opening a varmint business or whatever, like the temptation would be there to be in your ranger, like, to call it, you know, Ranger...

Susan: Ranger Rohrbaugh's Raccoon Removal!

Nick: *laughs* There you go!

Susan: There! I love alliteration. There. Nick's wife you can use that if you want. I have not copyrighted that, so. Yeah. All right, everybody, hey, this was a fun episode. Nick, thank you for joining me for the episode today.

Nick: My pleasure, absolutely fun, yeah.

Susan: And that's it for this episode everybody. I normally get to thank Nick Rohrbaugh for all his behind the scenes wizardry on this podcast but today I also get to thank him for being front and center of this episode. I have to tell you, every day working with Nick is great but recording podcasts with him is especially fun. So I'm very grateful for his time today but most of all for his daily hard work and his commitment to the Ohio Ethics Commission.

But before I let you all go for the day I do have to tell one more quick story about Nick since he regaled us with that Amazon delivery fiasco. Did you know that Nick once ordered a boomerang from Amazon?

Nick: Well, yeah. They have a great return policy Susan.

Susan: Take care everyone. Be ethical. Bye.