



Audit Hot Spots

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Code of Governmental Ethics Training

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I would like to take a moment to thank everyone who attended the on-site ethics training sessions. I do appreciate the patience that you all exhibited during the registration process. I would also like to extend a special "Thank You" to Sarah Hogan and her staff along with many others from the Burton Business Center fourth floor who helped to make this event possible.

With regret, there are still many employees who have not yet taken the course. Please remember that this course is required by law (RS 42:1170) to be taken by all public employees. If you or anyone in your area needs to complete the training please do so by following the instructions below.

You will be required to register if this is your first online training session. The presentation is in three – 20 minute segments. If you are unable to complete all three sessions at once, you can always log back in at a later time and view the ones not completed. You will not be allowed to skip sections and you must take them in order. There are several pop-up questions. Failing to answer them correctly does not mean that you will not receive a certificate of completion. The questions are designed to help you apply the information provided in order to understand what has been presented. Please let me know if you have any questions.

1. Go to www.ethics.state.la.us
2. Go to "Training"
3. Click on "Online Ethics Training"
4. Click on "Register (New User)"
5. Follow the instructions on the page

You will then be directed to select which training you need to take. For the current year you will take "2012 Code of Ethics Training for Public Servants."

Upon completing all three segments you will be prompted to enter your name for the certificate. You can either print out the certificate and provide my office with a copy or you can save the certificate as a .PDF on your computer and email it to me as an attachment at vroach@mcneese.edu.

Questions about Ethics?

You may recall that in the on-site ethics trainings post cards were handed out to all who attended for submission of any ethics question(s) that you might have had at the time. Below you will find the questions, answers, and links to various ethics opinions. The questions and answers will continue in the upcoming newsletters until they have all been addressed. Due to limited space the answers are brief; however, you may contact the Office of Internal Audit if you need further clarification.

1.) A.) If a student graduates and gives a professor (advisor) a gift card of \$100 to go to a restaurant for dinner, is this unethical?

B.) If you have a student that you helped through a difficult semester and once the class is over she/he leaves a gift for you in the office as a thank you, can you accept the gift? What if you are that student's advisor as well?

- Section 1111A(1) of the Code of Governmental ethics prohibits a public employee from receiving anything of economic value other than the salary and benefits for which they are duly entitled for the performance of their public duties. The receipt of gift certificates or other things of economic value for the performance of public employment duties is a violation of the Code. If the item received is considered a promotional item or items of de minimus value then the item may be accepted. A promotional item is an item with little to no resale value holding an entity's logo on it. For example: hats, t-shirts, pens, pencils, cups, water bottles, stress balls, etc. You may click or copy and paste the link below to view an ethics opinion on a similarly asked question.

Ethics Board Docket No: 2009-1011:

<http://ethics.la.gov/EthicsOpinion/DocView.aspx?id=6902&searchid=ebe66a83-d5d0-4385-9783-a79bc1c9055f&dbid=0>

Ethics Board Docket No: 2004-729:

<http://ethics.la.gov/EthicsOpinion/DocView.aspx?id=5411&searchid=3efc13a9-d537-41e0-b00e-a0e7bdad6a2c&dbid=0>

2.) A.) I'm a regular McNeese employee – have no real-decision making powers when it comes to purchasing or contracts. I go into X restaurant and get 15% off my ticket by showing my McNeese ID – is that ok?

B.) Can local businesses offer discounts to McNeese employees? Local cell phone providers used to put flyers in our mail boxes for such offers, but the discount offer from a local car dealer was rejected about a year ago. Does it depend on whether they do business with McNeese or is this due to a change in law?

- The ethics regulations were not widely taught over the last years and many entities and even public employees were not aware of these regulations; however with the new educational requirements many are learning that what was done in the past may not have been legal. In determining legality there are two main items that need to be considered: 1) Does the business currently have or is seeking a business or financial relationship with the University (RS 42:1115) and, 2) Is the benefit only offered McNeese employees or is the offer provided to other businesses or general public as well (RS 42:1111)? If the business entity has or is seeking to

obtain a contractual or business or financial relationship with the public agency then a public servant shall not solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity. If the discount is provided to you solely on the fact that you are a McNeese employee, then this would again be prohibited by Section 1111A(1) of the Code. However, if the discount is something that is provided to the general public or maybe to other employees of businesses in the surrounding area, then it would be allowable to accept without violating the ethics code as long as the entity does not currently have or is seeking a contractual business or financial relationship with the University. There are several opinions on similar situations that the ethics board has provided published opinions. You may click or copy and paste the link below to view an ethics opinion on a similarly asked question.

Ethics Board Docket No: 2010-155:

<http://ethics.la.gov/EthicsOpinion/DocView.aspx?id=23204&searchid=76a18bdf-ad41-446f-8449-9ac9ad21829c&dbid=0>

Ethics Board Docket No: 2007-1057:

<http://ethics.la.gov/EthicsOpinion/DocView.aspx?id=6354&searchid=cb97fa3a-2199-4e4d-bf6d-9aa5dbfd69dd&dbid=0>



Also, please note that the State of Louisiana has an established program which offers discounts for public employees that include cell phone providers along with many other entities. This program is called WeSave. You may contact the Human Resources department to obtain more information. The ethics board published an approved opinion on the establishment of this program in June 2007. You may copy and paste the link below to view an ethics opinion on a similarly asked question.

Ethics Board Docket No: 2007-414:

<http://ethics.la.gov/EthicsOpinion/DocView.aspx?id=5900&searchid=338ce131-6c9c-43f2-8e55-aa3cae059d42&dbid=0>

3.) Does this [Ethics regulation on participation in certain transactions] apply to scholarships granted to children of employees who work in the office? The employee does not participate in the selection process.

- Yes, Section 1112 of the Code states that no public servant shall participate in a transaction in which he or any member of his immediate family has a personal substantial economic interest of which he may be reasonably expected to know involving the governmental entity. However, if you are not involved in the selection process of which a specific criteria is established, then most likely you are not in violation of this regulation. Explicit disclosure of the situation to your supervisor is advised to insure that proper controls are in place such as segregation of duties.

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Did you know...



.....that the following policies are new or have been revised?

- Cash Collections and Deposits Policy – *April 2012*
- Graduate Assistantships – Qualifications, Roles, and Responsibilities Policy – *April 2012*
- Guidelines for Post Baccalaureate Certificates Policy – *April 2012*
- Supplemental Compensation for Faculty and Staff policy – *January 2012*
- Textbook and Course Materials Policy – *May 2012*
- Textbooks Notice and Availability Policy – *May 2012*

All of the above policies can be found on the McNeese website at www.mcneese.edu/policy

- Classified Hiring Plan – *January 2012*

The above policy can be found on the McNeese website at [www.mcneese.edu/hr/hiring plans](http://www.mcneese.edu/hr/hiring_plans)