

The image features a large, semi-transparent orange seal on the left side of a dark blue background. The seal is circular and contains the text "SEAL OF" at the top, "INDIANA" at the bottom, and "OFFICE OF INSPECTOR GENERAL" in the center. The seal also depicts a landscape with a tree and a building.

OIG Panel

Ethical Implications Involved in Political Activity
and Engaging in Other Outside Employment/
Professional Activities

Indiana Office of Inspector General

Political activity

Political Activity

- 42 IAC 1-5-4
- No political activity, including solicitation of political contributions, while on duty or acting in official capacity
- No soliciting of political contributions at any time from:
 - Persons who have business relationship with agency
 - State workers you supervise



Related rules

- 42 IAC 1-5-13 – Ghost employment
- IC 4-2-6-17 – Use of state property
- IC 4-2-7-5 - Use of state property for political purposes



Political activity - Case

- Supervisor sent text messages containing political material to subordinate
- OIG made several recommendations to agency
 - Advise employees that discussing politics and sending political material to subordinates is not appropriate
 - Advise employees not to send political material from or to state devices
 - Advise employees to keep calendars up to date and maintain work logs when teleworking



Political activity – Opinion

- 2018-FAO-0016
- Commission provided specific guidelines for a state employee running for State representative in order to not violate political activity rule



Political activity – Covered activities

- Political fundraisers
- Campaign/political attire or displays



Political activity – Takeaways

- Multiple ethics rules to considered
- Be careful
- Ask for advice



Outside employment



Outside employment

- IC 4-2-6-5.5
- Do not accept an outside position/professional opportunity if:
 - Responsibilities are incompatible with state responsibilities
 - Required to disclose confidential information
 - Official position used to secure special privileges/exemptions



Outside employment – Related rules

- IC 4-2-6-9 – Conflicts of interests: decisions and votes
- IC 4-2-6-10.5 – Conflicts of interests: contracts
- 42 IAC 1-5-13 – Ghost employment
- IC 4-2-6-17 – Use of state property
- Criminal ghost employment statute



Outside employment – Cases

- State employee/freelance writer
- Violation – Outside employment; Additional compensation (42 IAC 1-5-8) rules
- Policy recommendations
 - Agency should provide clear written guidance to employees engaging in freelance writing or other outside employment while maintaining state employment
 - Employees should seek IAO and/or FAO when engaging in outside employment – especially if outside activity is related to state position



Outside employment – Cases

- Supervisor – directed subordinates to engage in outside work for local organization while on duty for state position
- Violation – Ghost employment rule (42 IAC 1-5-13)
- Recommendations
 - Update job description if needed to clarify what is considered official state duties
 - Internal policies with specific guidance on allowable community outreach



Outside employment – Cases

- Employee/grad student
- Kept detailed records
- Kept supervisor in loop



Outside activity – Fundraising

- Avoid using any state time or resources
- Do not sell to subordinates or persons with business relationship
- Should be limited to SECC



Outside activity – Takeaways

- Keep records
- Roles separate
- Be careful about contract work
- Do not solicit for your outside business
- Discuss with supervisor and ethics officer
- Request advice



Recent issues

- Post-employment
- Confidential information



Ethics Officers

- Very important
- Should be knowledgeable on rules
- Be proactive
- Send refresher/reminder materials
- Advise employees to seek advice from OIG/SEC





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Ethics Officer Achievement Award



LEGAL & ETHICS
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NOVEMBER 18, 2021



Award for Excellence

Beth Green

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- Look out for a survey in your inbox tomorrow morning; and
- See you next year!





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