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Ethics News Corner

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Outside Activities

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What is an “Outside Activity?”

An outside activity is just what the name implies . . . it is outside of, or not related to, your current official work. It is done outside of your NIH work area, using your own or the outside entity's resources, not Government resources. Outside Activities are governed by Federal Statutes, the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635), by the HHS Supplemental Standards of Ethical Conduct (5 CFR 5501, 5502), and NIH policies and procedures.

The decision on whether a request from an outside entity should be carried out in a personal capacity or as part of your official duties should include consideration of:

- Whether the request was extended primarily because of your official position;
- whether you have any current official duties which affect the outside entity, and
- whether the topic involves an announced policy or program of the NIH.

Invitations based on any of these criteria could possibly be done as part of your official duties, if determined appropriate. For information on Official Duties, please see the [Official Duty Activities](#) summary.

Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.

Do Federal employees need approval prior to starting an outside activity?

Yes, because there are many types of outside activities, it's always best to contact your Ethics Specialist to discuss your plans to perform an outside activity. For example, outside activities involving professional work require advance approval from your Deputy Ethics Counselor or designee. Professional generally means that some level of advanced education or training is necessary to engage in the activity, such as licensure or certification (e.g., physician, nurse, ancillary health care, legal practice) or advanced education (e.g., teach college course; peer review manuscripts; consulting in your area of expertise). Some activities, though professional, do not require advance approval. Your Ethics Specialist can provide guidance to you on a case-by-case basis.

How do I obtain approval for an outside activity?

Requests are submitted electronically via the [NIH Enterprise Ethics System \(NEES\)](#) and should be submitted no later than 8 weeks prior to the proposed start date.

Please note that activities may be a one-time event (or short duration) or be expected to continue for multiple years. Regardless of the expected length, approval is granted for only one year at a time, and renewal is required prior to the end of the currently approved time frame.

Please visit <http://ethics.od.nih.gov/topics/outside.htm> or contact your Ethics Specialist for more information.

A summary of prohibited activities can be found at:

["3-3-9 Framework" Summary of Prohibited Activities and Exceptions under 5 CFR 5501.109\(c\)](#)

Political Activities and Restrictions

So, you want to get involved with the 2008 election campaign or any other partisan political activity? Well, if it is during your own free time and while away from work, generally you may do so, **provided** that you comply with restrictions contained in the Hatch Act (www.osc.gov/hatchact.htm) and certain criminal statutes.

Note: if you are a PHS Commissioned Corps officer, Administrative Law Judge, or a Career SES employee, you are subject to more restrictions and cannot engage in partisan political activities even during off-duty hours or while away from work.

The Hatch Act rules limit participation in partisan political activities at the national, state, or local levels that are aimed at supporting or defeating political candidates for public elective office or directed to the success or failure of a political party, candidate, or partisan political group. Political activity restrictions for federal employees apply during the entire time of the employee's appointment and there are rules that apply both on-duty and off-duty.

Under the Hatch Act, here are some basic "dos and don'ts" regarding political activity:

You MUST

- NOT** participate in partisan political activity on duty, on Federal premises, or in a government vehicle
- NOT** wear a badge, uniform, or insignia that identifies you as an HHS employee while you are participating in partisan political activities
- NOT** run for public office in a partisan election
- NOT** ask anyone to give money
- NOT** ask a business or organization to give services or to provide volunteers

You MUST

- NOT** accept contributions of money or business services
- NOT** use your official authority or title in connection with any political activity
- NOT** allow your name to be used on an invitation to a fund-raiser as a sponsor or point of contact
- NOT** host or sell tickets to a fund-raiser
- NOT** speak before an audience or seek support from a group that is composed primarily of individuals representing companies or organizations that have matters pending before HHS

You may ask "what CAN I do?" While off duty, away from the workplace, and without using a government vehicle, uniform, title, or other indication that you work for HHS (and provided that you do not solicit, accept, or receive political contributions of money or business services or otherwise violate other provisions):

You MAY

- Participate in, and address, political gatherings, such as nominating caucuses and conventions
- Organize political groups or party organizations
- Endorse, oppose, or canvass for votes in support of a candidate or party
- Participate in managing a campaign, or as an officer of a campaign committee
- Ask for, accept, or receive uncompensated volunteer services from individuals (except your subordinates) to work for a candidate
- Work at a polling site

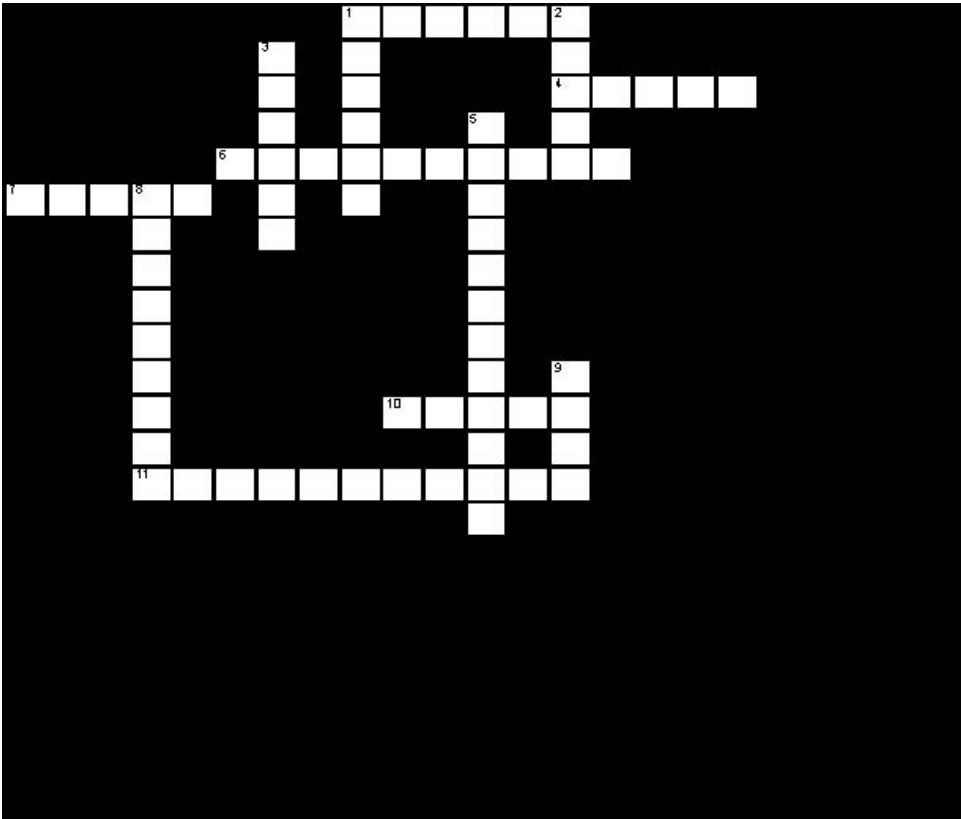
You MAY

- Attend political fund-raisers and make political contributions
- Allow your name to appear as a special guest or speaker as long as your official title is not on the invitation
- Provide logistical help in organizing a fund-raiser such as supplying names for the invitation list
- Stuff envelopes with requests for contributions
- Organize mail or phone solicitations for contributions, as long as you do not sign solicitation letters or make even anonymous appeals for contributions over the phone

For more information, please view the *Political Activity and the Federal Employee* which can be found at: http://www.osc.gov/documents/hatchact/ha_fed.pdf

Crossword Puzzle Challenge: Outside Activities

U. S. Office of Government Ethics Outside Activities Employee
Crossword Puzzle



This crossword puzzle can be found online at:

http://www.usoge.gov/training/puzzle_files/outside_acts_07/outside_puzzle_prnt.pdf

The answers to this crossword puzzle can be found at:

http://www.usoge.gov/training/puzzle_files/outside_acts_07/outside_answers_prnt.pdf

<p>Across</p> <p>1. Some high-ranking employees are restricted in the _____ of money they can receive as outside earned income</p> <p>4. You are to file and pay these by April 15th</p> <p>6. You must use an approved _____ if you use your official title when writing an article in a scientific or professional journal as an outside activity</p>	<p>7. This act governs the political activities of executive branch employees</p> <p>10. Find out if your agency requires _____ approval for outside employment or activities</p> <p>11. When fundraising in your personal capacity, one type of person from whom you can't solicit money is a _____</p>	<p>Down</p> <p>1. Only your ____ may authorize you to give an official speech at a fundraiser</p> <p>2. Don't use your official _____ when fundraising in your personal capacity</p> <p>3. Generally you cannot accept money for speaking about your official _____</p> <p>5. When speaking at a conference as an outside activity you may use your government title as one of several _____ details</p>	<p>8. You can't have an outside job when it _____ with your official duties</p> <p>9. Generally when you teach, speak, or write about something related to your job, you have to do it for _____</p> <p style="text-align: right;">www.usoge.gov</p>
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Working with Government Contractors: What You Need to Know as a Federal Employee Who Works with Government Contractors

Below is a link to a pamphlet which provides a general introduction to some of the most common ethics issues that arise for Government employees who work with Government contractors. It is not specifically designed for procurement officials or other employees with procurement responsibilities.

Please note that this pamphlet does not cover all of the rules that apply to executive branch employees. If you have a specific issue, have questions, or need additional information, please contact your ethics official before taking any action.

http://www.usoge.gov/training/module_files/ogewrkctr_wbt_07/a1.html

Helpful Hints and Time Savers

Help us serve you better by:

- *Submitting your Request for Approval of Outside Activity (HHS 520) at least 8 weeks prior to the proposed start date.*
- *Did you know that all public financial disclosure filers (SF 278) are required to be pre-cleared before being offered an SF 278 filer position including those in acting positions? Let's nail down the process now to avoid delays in bringing employees on board! Please contact your Ethics Specialist for more information.*

Upcoming Events

Please make note of these important dates:

Annual Ethics Training - *Coming to you via e-mail soon!*

OCTOBER						
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	
NOVEMBER						
S	M	T	W	T	F	S
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24	25	26	27	28	29

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Visit us on the web at <http://omar.ors.od.nih.gov/ethics.htm>

Please feel free to take our customer survey and let us know how we are doing:

<http://oqm.ors.od.nih.gov/dynsurveyfe/CompleteORS.aspx?srvID=13>