

the Ethical Times

Ethical Parenting

By Alex Kipp

I am not just the very powerful Director of Education and Education of an agency of nearly 26 people; I'm also a family man. That's right, I have two adorable young children, Boy1 and Boy2 (not their real names). Boy1 is 3 going on 30, as we like to joke around the apartment that used to feel quite spacious; Boy2, somewhat more prosaically, is 13 months going on 14 months. Let me tell you: parenting is hard work! But I have found a number of ways that the City's conflicts of interest law, Chapter 68 of the City Charter, has helped me be a better parent and raise my children to have the highest standards of integrity.

For instance, in City government we say City resources are for City purposes. At dinner, we say that our edible food (most of the food I make is edible) is for eating purposes. And, like in the City, we have an Acceptable Use Policy at home. For City employees, this means that making one personal phone call on a City phone, or printing one copy of something personal (not for a business or a political campaign) is fine, but making a thousand copies or spending your whole day placing personal calls is not. With my younger son, Boy2, a certain amount of butternut squash going onto his tray (instead of into his mouth) to make yet another squash sculpture is OK, but there is a limit beyond which it is not acceptable.

My older son, Boy1, is learning other lessons about the proper use of resources. For ex-

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ample, he is already 3, which means he should start learning to read if he ever wants to get into the right kindergarten. To that end, I thought it would be fun to read him my illustrated copy of Dante's Inferno. But the book has not been to his liking. He can't even stand to be in same room with it. The other day he told me he was going to sell it to another boy and use the money to buy ice cream. And while I appreciate his budding entrepreneurial nature, I told him no, it was not his book to sell. Just like I, as a City employee, can't sell a twenty-year-old City laptop sitting around the office collecting dust. I may not want it or need it, but it's not mine to sell. The City will determine the proper way to dispose of it.



Speaking of ice cream, Boy1 has a bit of a sweet tooth. If he had his druthers, every meal would consist exclusively of ice cream! It's been hard for him to learn that ice cream comes after the meal, not before or in lieu of it. Last week, my spouse, Spouse1 (not her real name) made a well-intentioned but misguided offer to Boy1: if he ate all of his dinner AND took his plate to the sink, he could have some ice cream for dessert.

This might be fine for some parents who are not concerned with instilling the highest standards of public service in their children, but not for me. Public servants do not take tips for doing their City jobs, and no child of mine is going to going to accept an ice cream tip for cleaning up his dishes. Instead, I offered to write a nice commendation for the personnel file I gave him for his second birthday. Spouse1 did point out that, in the instant case, the ice cream was already out of the carton and would go to waste if it wasn't eaten. I replied that perishables that are offered as gifts and that cannot be returned might, after a determination by an Inspector General, be kept and shared in the office, but in this case my mother-in-law (our Inspector General) was unavailable for consultation and this ice cream was clearly offered as a gratuity, not a gift, and therefore it would be better to let it melt before our eyes than travel down a rocky road of impropriety. We finally came to a solution by giving the half-melted ice cream to Boy2, who had done nothing to deserve it, and who promptly mixed most of it with his leftover squash to form an even more impressive food sculpture. This seemed to satisfy everyone, except Boy1, who ripped up his commendation in protest. That will also go in his file. Rules are rules.

It's hard to set boundaries with your kids. It makes you feel exhausted by the end of the day. But it's the good kind of exhausted. The kind of exhausted where you sit on the couch after putting the kids to bed and cleaning up all their toys and cleaning up the

kitchen and the bathroom and sweeping the floors and unpacking the food from the delivery box, and making a trip to the store for things you couldn't get delivered, and wiping up all the food on the floor below the dining room table, and you turn on your favorite TV show and cue it up to the spot in the episode where you fell asleep the night before trying to watch it and make it about 30 more seconds before you're out for a few peaceful hours. Sometimes in those moments of repose a question occurs to me about the standards set forth in Chapter 68 of the City Charter. Sometimes I don't know the answer to that question. Do I let that rouse me in a fit of worry? No. Because I know that 9-5, Monday-Friday, I can call the Board at 212-442-1400 and get my question answered by one of the helpful attorneys in the Advice unit. I can even use [COIB's website](#), once I figure out what Boy1 has done with my laptop's power cable. Ah, I see now, he's using it to play Indiana Jones with the ceiling fan. Looks like it's time to see if Chapter 68 can offer any wisdom on the disciplinary side of parenting.



Alex Kipp is the Director of Education & Engagement at the New York City Conflicts of Interest Board.

COIB and COVID-19

COIB is operational and here for you. The Attorney of the Day is available to answer your ethics questions at (212) 442-1400 or via the [legal advice request form](#).

We encourage New Yorkers to follow DOHMH at [@nycHealthy](#) and/or text COVID to 692-692 to receive updates.



nyc.gov/ethics

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Recent Enforcement Cases

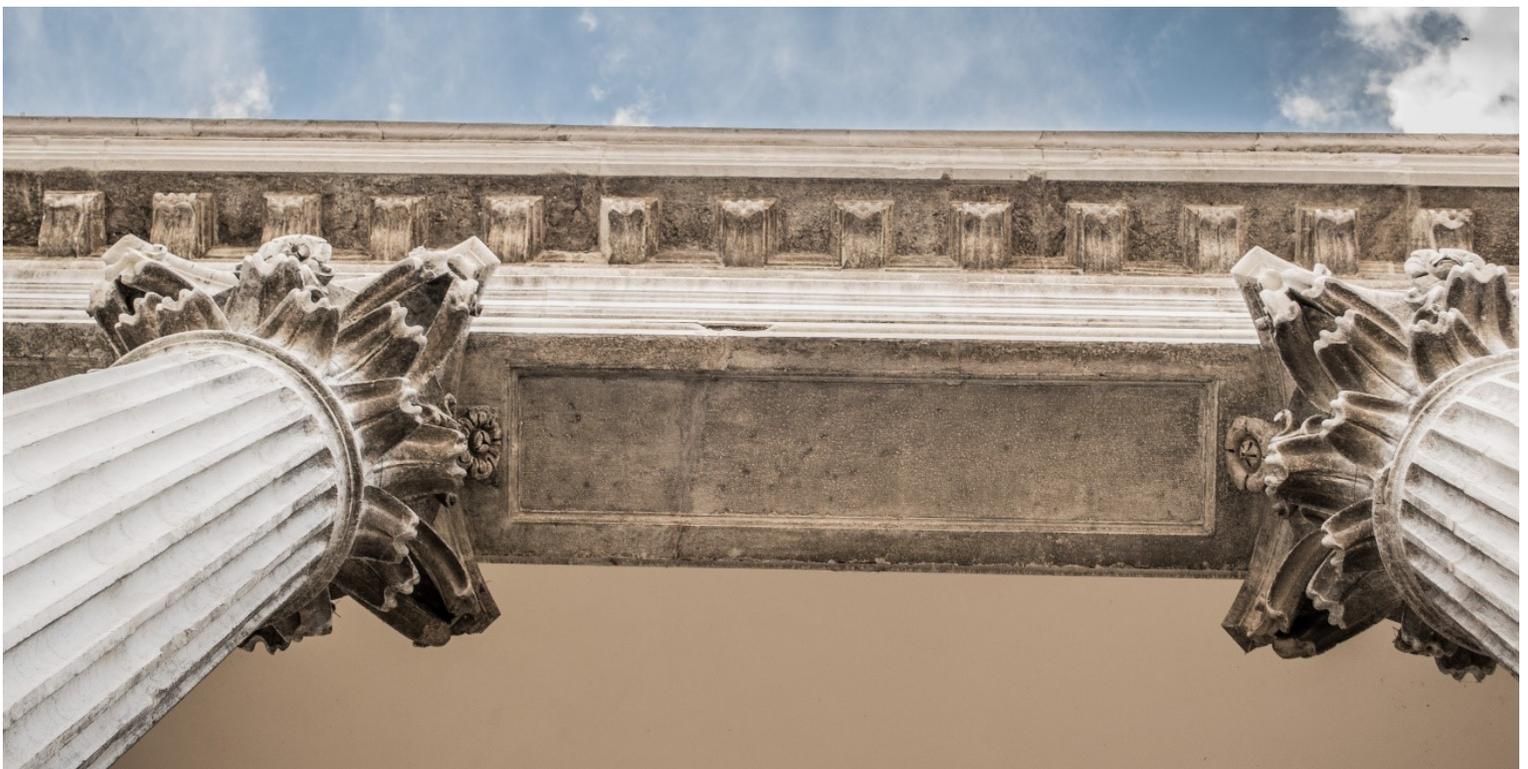
Misuse of City Resources. The Board concluded three settlements with NYC Health + Hospitals (H+H) employees who displayed counterfeit parking placards in their personal vehicles to park illegally or to avoid paying for metered spaces. The counterfeit parking placards included an image of the H+H Police shield.

- The now-former Director of Security for Elmhurst Hospital Center (EHC) paid a \$2,500 fine to the Board for displaying such a placard for approximately nine months. In determining the appropriate penalty, the Board considered that he was a high-level City employee.
- A now-former Captain for the EHC Police paid a \$4,000 fine to the Board for displaying such a placard for approximately 18 months, and for:
 - Creating counterfeit parking placards with the H+H Police shield, which he distributed to members of EHC Police staff;

- Accepting help from three off-duty subordinates to move into his new home, a **Misuse of City Position**; and
- Having one of those subordinates cover the cost of a moving van, which he later repaid, a **Superior-Subordinate Financial Relationship**.

- In a joint settlement with the Board and H+H, an EHC Special Officer paid a \$1,300 fine to the Board for displaying such a placard for approximately six months. In addition, he acknowledged that he violated the City's conflicts of interest law by paying for a moving van on his supervisor's behalf.

Prohibited Gifts. While he was a Council Member, a now-former Council Member accepted 18 valuable gifts from a not-for-profit organization that was doing business with the City, including by receiving \$841,000 in discretionary funding sponsored by the Council Member. The now-former Council Member accepted the following valuable



Recent Enforcement Cases

gifts: free accommodations at an all-inclusive resort in the Pocono Mountains for himself on five occasions, for his wife on four occasions, for his son on two occasions, and for his sister and nephew on one occasion; free tickets to a dinner cruise for family members (his sister, niece, and two nephews); and free flowers for his wife on another dinner cruise. The Board issued an Order, after a full hearing before an Administrative Law Judge at the NYC Office of Administrative Trials and Hearings (OATH), imposing a \$15,000 fine—the amount recommended by the OATH Administrative Law Judge—to be paid by the former Council Member.

Misuse of City Letterhead. A Social Worker for the NYC Department of Education (DOE), who also teaches at the City University of New York (CUNY), used DOE letterhead to create three fraudulent documents that he sent to one of his CUNY students. The documents gave the student the false impression that he was qualified for, and had been selected to fill, a high-level DOE position; in reality, the student was not being considered for any DOE position. The Social Worker paid a \$1,500 fine to the Board.

Misuse of City Time. The Board issued a public warning letter to the Director of OTPS Budgets and Grants for the Bureau of Food Safety at the NYC Department of Health and Mental Hygiene (DOHMH), who is a notary public, for providing paid notary services while on City time. Prior to serving as Director, she worked as a Principal Administrative Associate in DOHMH's Office of Environmental Health Administration. On ten to twelve occasions during 2019, while working as a Principal Administrative Associate, she notarized paperwork during her DOHMH work hours for child care permit applicants to be submitted to DOHMH. The applicants paid her \$2 or \$3 each for her notary services.

Disclosure of Confidential Information.

To perform her official duties, a Community Assistant at OATH had access to the Taxi Automated Management Information System (TAMIS), a confidential database of the NYC Taxi & Limousine Commission. The Community Assistant accessed the confidential records of her friend's former boyfriend in TAMIS, took a photograph of his driver information, and sent the photograph to her friend, who had a financial interest in obtaining this information. For this violation, and other unrelated conduct, OATH suspended the Community Assistant for 60 calendar days, valued at approximately \$4,838. The Board accepted the agency's penalty as sufficient to address her violation and imposed no additional penalty.

A [searchable index](#) of all the COIB Enforcement Dispositions and Advisory Opinions is available courtesy of New York Law School.

THE PUBLIC SERVICE PUZZLER

Congratulations to the winner of our recent Public Service Puzzler, **Eva Gambino** of DOF, who besides being an excellent poet has played classical piano at Carnegie Hall.



In this month's [contest](#), we're looking for fictional New Year's Resolutions! Submit yours by **this Friday, January 29th** (deadline extended).