

PHILADELPHIA BOARD OF ETHICS

REGULATION NO. 7

REQUIRED ETHICS TRAINING

The existing Regulation No. 7 (Annual and Routine Ethics Training), which was filed with the Department of Records on October 21, 2009, is hereby repealed and replaced by the following:

SUBPART A. SCOPE; DEFINITIONS.

7.0 Scope. This Regulation, promulgated by the Board pursuant to its authority under Sections 4-1100 and 8-407 of the Philadelphia Home Rule Charter and Chapter 20-600 of The Philadelphia Code, interprets the requirements of Philadelphia Code Section 20-606(1)(b)(i) and (iii) regarding routine and mandatory educational and training programs for City officers and employees.

7.1 Definitions. As used herein, the following words and phrases shall have the meanings indicated.

- a. Agency head.** The head of any office, department, board, commission or other governmental agency of the City authorized to appoint employees.
- b. Board.** Board of Ethics.
- c. Cabinet member.** The Managing Director, the Director of Finance, the City Solicitor, the Chief Public Safety Director, the Director of Planning and Development, the Director of Commerce, the Director of Labor and the City Representative and such other officers as the Mayor may designate as members of the Mayor's cabinet.
- d. City.** City of Philadelphia.
- e. City board or commission.** Any City board or commission, without regard to the body's title (including a body denoted as a board, commission, council, committee, task force, working group, panel, or other similar designation), established by the City's Home Rule Charter, ordinance, or Executive Order.
- f. City officer or employee.** Any person who is elected or appointed to a position in any branch of the government of the City or to any elected or appointed position which serves the City including, but not limited to, members of agencies, authorities, boards and commissions, individuals serving full-time, part-time or seasonally; and individuals serving with or without compensation.
- g. Effective date of employment.** For City employees, the first calendar day of the first pay period they perform work for the City and are on the City's payroll.
- h. Ethics laws.** Chapter 20-600 of the Philadelphia Code, Article 10 of the Philadelphia Home Rule Charter, and any other matters relating to ethical standards of conduct for

City officers and employees later added to the Code or Charter or otherwise assigned to the Board by ordinance.

- i. Term of service.** For appointed or elected City officials, the period beginning on the date the officer's position takes effect by operation of law or action of the appointing authority and ending on the effective date of separation.
- j. Training.** Any program presented or approved by the Board to educate City officers and employees about the City's ethics laws, regardless of whether delivered (1) live by Board staff either in-person or virtually; (2) through pre-recorded presentations or online activities developed by Board staff; or (3) in limited circumstances with the pre-approval of Board staff, through programs presented by departmental training staff or other designees.

7.2 Applicability. Except where expressly indicated otherwise, the provisions of this Regulation apply to all City officers and employees.

SUBPART B. INITIAL TRAINING AND ACKNOWLEDGEMENT.

7.3 Initial training. A City officer or employee, regardless of position, duties, or responsibilities, shall attend initial training within 90 calendar days of the effective date of the officer or employee's employment or the beginning of their term of service.

7.4 Copy of the City's ethics laws. An agency head shall provide a copy of the City's ethics laws to each City officer or employee upon their employment or the beginning of their term of service. This requirement may be met by providing either an electronic or paper copy of the most current version of the appropriate position-specific ethics manual published by the Board. The most recent versions of the manuals are available for viewing or download at ethics.pub/manuals.

7.5 Acknowledgement. Within 15 calendar days of the effective date of employment or the beginning of a term of service, each City officer or employee shall acknowledge in writing that the officer or employee has received and reviewed a copy of the City's ethics laws in the form outlined in Paragraph 7.4. The agency head shall maintain a copy of the acknowledgement and shall make copies of such acknowledgements available for inspection by the Board upon request.

7.6 Effect of failure to comply. Failure of a City officer or employee to receive, review, or acknowledge receipt of a copy of the ethics laws, or failure of the agency head to maintain a copy of the acknowledgement, shall have no effect on the duty of the City officer or employee to comply with the ethics laws.

SUBPART C. ANNUAL AND ROUTINE TRAINING.

7.7 Annual training. The following City officers and employees shall attend training at least once in each calendar year:

- a.** Elected City officers;
- b.** Cabinet members;

- c. Agency heads;
- d. Members of all City boards and commissions; and
- e. Any other City officer or employee that the Mayor may designate.

An agency head may, at the agency head's discretion, require additional personnel to attend annual ethics training.

7.8 Routine training. A City officer or employee not required to receive annual training as provided in Paragraph 7.7 shall attend routine ethics training as follows:

- a. **Supervisors and managers.** A City officer or employee with supervisory or managerial responsibilities, as determined by the relevant agency head, shall attend routine training every three (3) years.
- b. **Other City officers and employees.** A City officer or employee not covered by Paragraphs 7.7 or 7.8(a) shall attend routine training every five (5) years.

7.9 Additional training. The Board may from time-to-time determine that additional training is required for some or all City officers and employees. In assessing whether additional training is necessary, factors the Board may consider include:

- a. Amendments or additions to the ethics laws, including the degree of substantive change represented by such amendments or additions;
- b. Issuance of significant Board opinions interpreting the ethics laws;
- c. Other significant events or legal developments that may indicate that additional training is appropriate;
- d. The availability, feasibility, and cost of methods of delivering training, such as online training platforms;
- e. Trends in advice, compliance, or enforcement matters that may indicate additional training is needed; and
- f. The departmental assignment or responsibilities of City officers or employees.

SUBPART D. COMPLIANCE AND RECORDKEEPING.

7.10 Compliance. Each agency head shall cooperate with the Board to ensure compliance with the training requirements for City officers and employees, including through the provision of information necessary to determine who is required to receive training pursuant to the requirements of Subsections 7.7, 7.8 and 7.9 above.

SUBPART E. REMEDIES

7.11 An officer or employee of the City shall be subject to a civil penalty of up to \$250 for failure to attend a training.

7.12 An agency head shall be subject to a civil penalty of up to \$250 for failure to provide a copy of the ethics laws to a City officer or employee.

Approved for public comment by Board: ____2023

Posted for public comment by Records:

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Effective:

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