



Annual Statements of Financial Disclosure Title Exemption Review Project

Agency Heads, General Counsel, Agency Ethics Officers:

The Joint Commission on Public Ethics (the “Commission”) is undertaking a comprehensive review of all titles and job classifications that have been exempt from the requirement to file annual statements of financial disclosure (“FDS”). Section 94 (9)(k) of the Executive Law authorizes the Commission to grant applications for exemption from filing an FDS on a job title/classification (“Title Exemptions”) or individual basis for non-policymakers (individuals who are required to file based on their annual compensation). According to the Commission’s records, there currently are more than 6,000 exempt titles across all State Agencies.

Many of the Title Exemptions have been in place prior to the Commission’s existence, some as long as thirty years. In many cases, job titles and classifications have either changed or become obsolete since the exemptions were initially requested and approved. In other cases, the description of a title has changed and no longer accurately reflects the State position for which the Title Exemption was originally granted.

To conduct this review, the Commission will need to revoke all existing Title Exemptions for FDS filers, and State Agencies and Employee Organizations will need to consider whether to re-apply for exemptions for each title and job classification or submit a new request for additional titles. The Commission is giving State Agencies ample notice to prepare for this review. **Title Exemptions currently in effect will remain so for the 2018 FDS due during this calendar year.** However, **effective January 2020**, all existing Title Exemptions will be revoked. This will affect the 2019 FDS forms due on May 15, 2020.

Upon State Agency or Employee Organization request, the Commission will reexamine titles and job classifications and the current corresponding descriptions to determine whether it is in the public interest to approve any such exemption request. For each Title or Job Classification your agency believes should be exempt from the FDS filing requirement, you will need to complete the Agency/Union Exemption Request Form and attach the most recent job description for each Title or Job Classification. The request form is accessible [here](#), and can be submitted to the Commission for its consideration as soon as you are ready.

All Title Exemption Request forms must be submitted to the Commission no later than August 1, 2019. Our goal is to review and process all applications by February 2020.

If you have any questions, please contact Melinda Funk, Deputy Director of Financial Disclosure at 518-474-4522 or melinda.funk@jcope.ny.gov.