

# ETHICS REMINDERS

## *Poll workers needed, but can you be one?*

Because of the COVID-19 pandemic, New York is experiencing a critical shortage of poll workers to assist with the administration of in-person voting during the voting period leading up to and including Election Day, and election board officials are seeking qualified people to serve as poll workers. Many State employees have responded to this call, and JCOPE has received a number of requests to approve this paid outside activity. What do you need to know if you would like to serve as a poll worker this election season?

A State officer or employee is not permitted to engage in any outside employment or professional activity that “interferes or is in conflict with” their State job. Whether an outside activity conflicts with your State job depends on your State duties and responsibilities, the nature of the proposed outside activity, and the specific rules that apply to you and your outside activity. Each agency can establish rules that apply to the outside activities of its employees, and these rules can be more restrictive than the ethics laws minimally require. Therefore, the first step in finding out if you can work as a poll worker is to check with your agency’s Ethics Officer.

Additionally, JCOPE’s [“Outside Activity Regulations”](#) apply to any compensated State employee who has been designated a “policymaker” by their agency. For instance, the following provisions apply to all paid policymakers:

- You need prior approval from your agency for an outside activity for which you expect to receive compensation between \$1,000 and \$5,000.
- You need prior approval from your agency and from JCOPE for an outside activity for which you expect to receive compensation greater than \$5,000.
- All requests for JCOPE outside activity approval must be accompanied by a completed [JCOPE approval form](#).

Further, the Regulations restrict both paid and unpaid policymakers from holding leadership positions in any party, political organization, or party committee.

Again, any State employee who is considering an outside activity, including work as a poll worker, should check first with their agency’s Ethics Officer. If you are not a designated policymaker, then only your agency’s rules and procedures will apply to your outside activities. If you are a policymaker, then your agency’s rules and procedures, as well as JCOPE’s regulations, will apply to your outside activities. Finally, Members and employees of the Legislature are subject to a different analysis and should consult with the Legislative Ethics Commission for guidance.



The Joint Commission on Public Ethics periodically releases Ethics Reminders. Each reminder is a synopsis of the laws and rules under the Commission’s jurisdiction. Ethics Reminders are issued to assist those who are subject to the Commission’s jurisdiction in understanding and complying with their obligations under the law.