

MEMO TO DEPARTMENT HEADS

Each year, the Board of Ethics must receive and approve a list of town officers and employees who are required to file annual statements of financial disclosure based on their job titles and duties. The list must be filed with the Board of Ethics by March 31 of each year.

The Board of Ethics requests that every department head compile a list of town officers and employees in their respective department, including members of boards and commissions, whether paid or unpaid, who meet the broad definition of “policymaker” as that term is used in the Code of Ethics. **Please submit your list to the Board of Ethics no later than March 31.** Enclosed for your reference is a list of officers or employees of your department who were required last year to file financial disclosure statements for the previous reporting year. Please review the list, and make any additions or deletions that may be appropriate.

For the purposes of the Code of Ethics, a person is considered to hold a policymaking position if he or she exercises responsibilities of a broad scope in the formulation of plans for the implementation of goals or policy for a town department, board or agency, or acts as an advisor to a person in such a position.

In determining whether a person holds a policymaking position, the following factors should be considered. These factors should be applied to the powers and duties of the position as set forth in the job description or any applicable law or regulation as well as the actual duties performed by the person:

- Whether the position permits meaningful input into the governmental decision-making process on issues where there is room for principled disagreement on goals or their implementation;
- Whether the powers and duties of the position are broadly defined and require more than the exercise of simple ministerial competence;
- Whether the position permits the person to exercise control over other officers or employees;
- Whether the position involves the establishment of priorities or the development of programs;
- Whether the position requires or authorizes the conducting of studies or entails a significant degree of involvement in the preparation of budgets or budget requests for a local agency or municipality;
- Whether the position authorizes the person to speak on behalf of local elected officials or other policymakers;

- Whether the position entails frequent contact with local elected officials or their principal deputies.

In compiling your list, you may request the advice and assistance of counsel to the Board of Ethics:

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