

May 30, 2000
Re: IO-00-94

You inquired whether you may continue to teach CPR classes as secondary employment. You stated that since you have been with the county, part of your duties involved regularly teaching CPR to county employees as part of OSHA requirements. At no time, did your CPR teaching involve outside groups. In your current position as property control manager, teaching CPR is no longer a regular duty, but you help out by teaching a class about once a quarter. You were originally certified to teach CPR in the military, but you were recertified by the county, and have annually recertified with the county.

As I advised you by phone today, the only applicable provision of the Public Ethics Law to this situation, is §3-104(a), which prohibits an employee from using the prestige of the office or position for the employee's own private gain. This provision means that you may not market your services to county employees or advertise during work hours. You may not refer to your county training or position when advertising or marketing your services outside of the county. You indicated that many of your outside jobs came to you by word of mouth, from previous students (in or outside of county government) who tell others, and so forth. Since as you indicated, you have not solicited this business, it does not appear that your continued secondary employment, teaching CPR to non-county groups, violates §3-104 of the ethics law.

Thank you for your inquiry. If you have any other questions, call any time.

Sincerely,

Betsy K. Dawson
Executive Director