



NUMBER: Directive 0624

SUBJECT: Ethics Education Program Directive

DIRECTIVE OWNER: Office of the General Counsel, General Law
Division

EFFECTIVE DATE: March 30, 2023

1. PURPOSE. To establish the authority and procedures for CPSC’s Ethics Education Program to ensure compliance with the requirements for Government Ethics Education, as outlined in 5 C.F.R. § 2638, Subpart C—Government Ethics Education.

2. AUTHORITIES

- a. 18 U.S.C. §§ 201–209 (Criminal conflict of interest laws)
- b. 5 U.S.C. § 13103, et seq. (Ethics in Government Act of 1978, as amended)
- c. 5 C.F.R. Chapter XVI, Subpart B (Government Ethics)
- d. Executive Order 13989, *Ethics Commitments by Executive Branch Personnel* (Jan. 20, 2021) (Ethics Pledge)
- e. Stop Trading on Congressional Knowledge Act of 2012 (STOCK Act), Pub. Law No. 112-105

3. SCOPE. This Directive applies to ethics education offered by CPSC to ensure that all employees, as defined by OGE to mean “any officer or employee of an agency,” 5 C.F.R. § 2635.102(h), are appropriately introduced to and trained on their ethical obligations as employees. Ethics education focuses primarily on the criminal conflict of interest laws, 18 U.S.C. §§ 201–209, as well as the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct), 5 C.F.R. § 2635.

4. NOTICE PROCEDURES

- a. **Notice to Prospective Employees.** The Office of Human Resources Management (EXRM) is responsible for including the required ethics notice in all written offers of employment to prospective employees. The offer letter must include:



- (1) A statement regarding the Commission's commitment to government ethics;
- (2) Notice that the prospective employee will be subject to the Standards of Conduct and the criminal conflict of interest laws;
- (3) An explanation of how to learn more about ethics obligations; and
- (4) Where applicable, a notice regarding financial disclosure requirements.

EXRM will consult with the Designated Agency Ethics Official (DAEO) or the Alternate Designated Agency Ethics Official (ADAEO) if there are any questions regarding the wording of the notice in the letters. The ADAEO will review the notice at least annually with EXRM to determine whether any changes are required.

- b. Notice to New Supervisors.** EXRM is responsible for informing all new supervisors of their heightened personal responsibility for government ethics and the importance for them to serve as models of ethical behavior for subordinates. EXRM will provide to all new supervisors, preferably upon appointment but not later than within 1 year of becoming a supervisor, a written notice that includes:

- (1) Contact information for agency ethics officials;
- (2) A copy of or hyperlink to the Standards of Conduct and 5 C.F.R. § 2638.103; and
- (3) A notice of the Commission's expectation that supervisors will work with agency ethics officials to help prevent and resolve conflicts of interest at the Commission.

EXRM will consult with the DAEO or ADAEO if there are any questions regarding the wording of the notice in the letters. The ADAEO will review the notice at least annually with EXRM to determine whether any changes need to be made.

5. INITIAL ETHICS TRAINING

- a.** All new employees will receive in-person initial ethics training as part of their onboarding orientation on their first day at the Commission.
- b.** EXRM will inform ethics officials the week before a new employee is starting a position at the Commission.
- c.** EXRM will establish a schedule and location for the onboarding orientation and notify ethics officials of any changes.



- d. The ADAEO or one of the ethics officials will conduct the in-person training. The presentation will be given to all new employees who are starting that day at the same time. On rare occasions, when a new employee cannot attend the regularly scheduled onboarding orientation, ethics officials will schedule an individual briefing with a new employee as soon as practicable.
- e. Initial ethics training will include the following topics:
 - (1) Financial conflicts of interest;
 - (2) Impartiality/appearance of financial conflicts of interest;
 - (3) Gifts from outside sources;
 - (4) Gifts between employees;
 - (5) Gifts from foreign entities;
 - (6) Misuse of position;
 - (7) CPSC-specific regulations (supplementary regulation requiring prior approval of outside activities and statutory industry-sponsored travel ban);
 - (8) Financial Disclosure requirements and the STOCK Act; and
 - (8) The Hatch Act.
- f. EXRM will provide all new employees with a copy of the Standards of Conduct in their orientation package and a copy of CPSC's supplemental ethics regulation.
- g. The ADAEO or ethics official conducting the orientation will provide new employees with a list of current CPSC ethics officials and their contact information.
- h. New employees will be required to document that they received an ethics orientation by filling out their names on the sign-in sheet. The ADAEO will keep the sign-in sheet to document compliance with this requirement.

6. ETHICS TRAINING FOR NEW PUBLIC FINANCIAL DISCLOSURE FILERS

- a. EXRM will inform the ADAEO of any new public financial disclosure filers, which, at CPSC, includes Commissioners and Chair, Schedule C employees, and SES employees (career and non-career).



- b. Commissioners/Chair.** An ethics official will have already worked with new Commissioners on their financial disclosure documents prior to onboarding. After onboarding, an ethics official will schedule time with the new Commissioner or Chair to complete any outstanding ethics obligations and to review the conflict of interest obligations, the remedies for conflicts of interest, and the Ethics Pledge.
- c. New Schedule C employees and new SES employees.** Ethics officials will offer these employees the opportunity for one-on-one counseling regarding their financial disclosure obligations.

7. ANNUAL ETHICS TRAINING

- a.** Because a large portion of the Commission's employees are required to file either a confidential or public financial disclosure form, live annual ethics training is offered to all employees at CPSC. "Live" training is defined by OGE as training where the presenter "personally communicates" the material at the same time as the employees being trained are receiving the material and may be delivered in person or through video or audio technology. 5 C.F.R. § 2638.302(a).
- b.** Such training is typically conducted each year at CPSC headquarters. Employees located outside of CPSC's headquarters are able to watch the training in real time via webcast and are encouraged to submit questions to ethics official via email during or after the broadcast.
- c.** The annual training, which is scheduled for at least one hour, covers:
 - (1) Financial conflicts of interest;
 - (2) Impartiality/appearance of financial conflicts of interest;
 - (3) Gifts from outside sources;
 - (4) Gifts between employees;
 - (5) Misuse of position;
 - (6) CPSC-specific regulations (supplementary regulation requiring prior approval of outside activities and statutory industry-sponsored travel ban); and
 - (7) The Hatch Act.
- d.** Electronic links to the Standards of Conduct and the Commission's supplemental ethics regulation are included with the notice of the training that is sent via email to



all employees. The notice also includes the agency's ethics contact information, ethics@cpsc.gov.

- e. Employees are required to attest that they have attended the training in person or viewed the live stream webcast on an annual basis.
 - f. Any employee unable to attend in person or watch the live stream webcast is required to view the recorded webcast at a later time. The recorded webcast includes an interactive component and encourages employees to contact ethics officials during or after watching the recorded webcast with questions or concerns. At the conclusion of the recorded webcast, employees are required to attest that they have viewed the training and completed the interactive component.
8. **AD-HOC TRAINING.** Ethics officials will conduct supplemental training as needed. Potential topics include:
- a. Post-employment requirements;
 - b. Social media and Hatch Act and ethics; and
 - c. New areas of law and regulation.
9. **CANCELLATION.** This Directive supersedes and cancels IP311-C, *Implementing Procedure for Ethics Education Program* (Aug. 26, 2019).

Alexander Hoehn-Saric
Chair

3/30/2023

Date