## Who is considered a public employee under the Public Official and Employee Ethics Act?

### Factors to consider in each of the functional areas

- Whether the individual has the authority to make final decisions
- Whether the individual has the responsibility/authority to forward or stop recommendations made to the person who makes the final decision
- Whether the individual prepares or supervises the preparation of final recommendations
- Whether the individual makes final technical recommendations
- Whether the individual makes recommendations or takes action on a recurring basis as part of the inherent responsibilities of the position that affect organizations other than his/her own

### Excluded individuals

- Individuals who are only involved in any of the above functional areas in an exclusively ministerial capacity (clerical staff, maintenance workers, equipment operators, police officers, etc.)
- Faculty who do not have any administrative duties or other responsibilities described above

### Financial or administrative responsibilities concerning spending

- Personnel in procurement, construction or facilities management departments
- Delegated fiscal, contracting or cost center authority or budgeting responsibilities
- Personnel who have been issued purchasing cards
- Make recommendations or decisions for purchasing equipment or facilities
- Service on procurement committees

### Administering or monitoring grants or subsidies

- Includes grant managers and program directors for grant-funded or subsidized programs
- May include principal investigators (PI)
- May include grant applicants

### Official action is not de minimis as to the interests of any person

- Deans and assistant deans, department chairs, coaches, athletic directors, police chiefs, and program or operational directors (and deputies or designees of the above)
- Individuals who have served as members of a bargaining team
- May include camps and conferences administrative staff

### Excluded

- Faculty who do not have any administrative duties or other responsibilities described above

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**Note:** Former public employees and public officials must file for the calendar year following service.