

**PLAIN LANGUAGE GUIDE TO POST-EMPLOYMENT**

**RESTRICTIONS AND WAIVERS<sup>1</sup>**

The Code of Ethics includes restrictions that may apply to your plans for future employment, and procedures for requesting waiver of those restrictions.

- If you plan to leave County employment, and even after you leave, you may not seek or accept a job with any employer that had an official matter before you or your board or commission, until 90 days after that matter was completed, even if the matter was not completed until after you left County employment.
- For one year after you leave County employment, you may not communicate with your former County office, board or department about an official matter, except (i) on behalf of the Federal Government, the State or a local municipality, or (ii) pursuant to a waiver granted by the Board of Ethics.
- After you leave County employment, you may not, at any time, provide services to a private person or organization in any matter that you handled on behalf of the County, except (i) on behalf of the Federal Government, the State or a local municipality, or (ii) pursuant to a waiver granted by the Board of Ethics.

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<sup>1</sup> This plain language Guide to Government Ethics is intended to assist you in understanding the rules that may affect you. It is not intended to replace the actual text of the County Code of Ethics. You may find the Code of Ethics at:  
<https://www.westchestergov.com/advisory-boards/board-of-ethics>

**HOW CAN I GET A WAIVER**  
**OF THE POST-EMPLOYMENT RESTRICTIONS?**

**STEP 1:**

Ask your department head to approve the waiver.

**STEP 2:**

Submit a written request to the Board of Ethics and to the Clerk of the Board of Legislators.

**STEP 3:**

The waiver will be deemed granted if the Board of Ethics does not make a ruling within 10 business days after it receives the request.

**STEP 4:**

Within 10 business days thereafter, the Board of Legislators may approve, modify or reverse the grant or denial of your request by the Board of Ethics.

**FOR MORE INFORMATION**

For further information or to request confidential ethics advice, contact the Board of Ethics at:

Board of Ethics  
Office of the County Attorney  
148 Martine Avenue  
White Plains, NY 10601  
[EthicsBoard@westchestercountyny.gov](mailto:EthicsBoard@westchestercountyny.gov)

Group ethics training is available at the request of your department, agency, board or committee.

## **CODE OF ETHICS – ACTUAL TEXT**

### **FUTURE EMPLOYMENT**

- No County officer or employee shall seek, negotiate, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the County officer or employee, either individually or as a member of a board or commission, while the matter is pending or within the 90 days following final disposition of the matter.
- No County officer or employee, for a one-year period after serving as a County officer or employee, shall appear before or communicate in any form with the County office, board, department or comparable organizational unit for which he or she served in connection with any case, proceeding, application or other proposed or pending matter, except (i) on behalf of the Federal Government, the State or a political subdivision or instrumentality thereof, or (ii) pursuant to a waiver granted or deemed to be granted in accordance with the procedures set forth at Section 883.402(g).
- No County officer or employee, at any time after serving as a County officer or employee, shall represent or render services to a private person or organization in connection with any particular matter in which he or she personally and substantially participated while serving as a County officer or employee, except (i) on behalf of the Federal Government, the State or a political subdivision or instrumentality thereof, or (ii) pursuant to a waiver granted or deemed to be granted in accordance with the procedures set forth at Section 883.402(g).

### **WAIVERS**

- Upon written application by a current or former County officer, employee or independent contractor, and upon written approval by his or her department or agency head, the Board of Ethics may grant the applicant, or his or her private employer or business, a waiver of any of the provisions of... Section 883.207 (Future employment)... where the Board of Ethics finds that

waiving such provision would not be in conflict with the purposes and interest of the County, provided, however, that no such waiver shall permit any conduct or interest otherwise prohibited by Article 18 of the General Municipal Law.

- The application shall be filed by the applicant simultaneously with the Board of Ethics and with the Clerk of the Board of Legislators.
- Waivers shall be in writing, shall state with reasonable particularity the grounds upon which they are granted, and shall be available for public inspection and copying. All applications, decisions, and other records and proceedings relating to waivers shall be indexed and maintained on file by the Board of Ethics.
- The application for a waiver shall be deemed granted if, within ten business days of its receipt of the application, the Board of Ethics does not grant, grant in part, grant subject to conditions, or deny the application.
- On the first business day following the issuance of a decision by the Board of Ethics, it shall file with the Clerk of the Board of Legislators a copy of its decision, if any, and all records and proceedings relating to the application for a waiver. In any event, this filing shall be made no more than ten business days after receipt of the application.
- Any determination made or deemed to be made by the Board of Ethics upon an application for a waiver made pursuant to this section shall be subject to review by the Board of Legislators at its discretion. If the Board of Legislators chooses to review a determination of the Board of Ethics, it may, by Resolution, affirm, reverse, or otherwise modify the determination. If the Board of Legislators does not affirm, reverse, or otherwise modify the determination within ten business days following its first scheduled meeting after the filing with the Clerk pursuant to paragraph (5) of this subsection, the determination shall be deemed affirmed by the Board of Legislators.