Designated Officials

Brief

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**BRIEF**

**Policy Summary**

Berkeley Lab requires employees holding certain designated jobs — designated officials — to disclose financial interests related to their position. Designated officials are subject to certain limitations concerning income, gifts, loans, honoraria, and travel payments from nonpublic sources. In addition, designated officials are subject to post-employment restrictions.

**Who Should Read This Policy**

This policy applies to employees occupying jobs that are designated under the University of California Conflict of Interest Code.

**To Read the Full Policy, Go To:**

The POLICY tab on this wiki page

**Contact Information**

Research and Institutional Integrity Office
RIIO@lbl.gov

Policy

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**POLICY**

**A. Purpose**

In order to prevent conflicts of interest, Berkeley Lab requires employees holding certain designated jobs – designated officials – to disclose financial interests related to their position.

**B. Persons Affected**

This policy applies to employees occupying jobs that are designated under the University of California Conflict of Interest Code.
C. Exceptions

Not applicable

D. Policy Statement

1. Under California law and University of California (UC) policy, Laboratory employees holding certain jobs (designated officials) are required to file a statement of economic interest when they assume a designated position, annually while they hold such a position, and when they leave it. In addition, designated officials are subject to post-employment restrictions.
   a. One-Year Ban. The Political Reform Act prohibits designated officials, for one year after leaving UC service, from receiving compensation for representing any other person by appearing before or communicating with UC in an attempt to influence UC decisions involving the making of general rules (such as regulations or legislation), or to influence certain proceedings involving a permit, license, contract, or transaction involving the sale or purchase of property or goods (California Government Code Section 87406, Regulations 18746.1 and 18746.2).
   b. Permanent Ban on "Switching Sides." Under the Political Reform Act, designated officials are permanently barred from working on the other side of a proceeding in which they had participated while working for UC. A designated official may not receive compensation for representing any other person by appearing before or communicating with UC, nor for aiding, advising, counseling, consulting, or assisting in representing any other person before any state of California administrative agency in a proceeding involving specific parties (for example, a lawsuit, a hearing before an administrative law judge, or a state contract) in which the designated official had previously participated (California Government Code Sections 87400-87405, Regulation 18741.1).

2. See the University of California Office of the President (UCOP), Office of the General Counsel Web site for a list of designated positions at Berkeley Lab, and related information.

E. Roles and Responsibilities

Designated employees under the University of California Conflict of Interest Code must file annual statements of economic interest with UCOP Office of the General Counsel.

F. Definitions/Acronyms

None

H. Implementing Documents

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<tr>
<th>Document number</th>
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<tr>
<td>Form 700</td>
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I. Contact Information

Research and Institutional Integrity Office
RIIO@lbl.gov

Revision History

<table>
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<th>Date</th>
<th>Revision</th>
<th>By whom</th>
<th>Revision Description</th>
<th>Section(s) affected</th>
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<td>1/2/2012</td>
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<td>Rewrite for wiki (brief)</td>
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Title: Designated Officials

Document number: 05.11.001.000

Revision number: 1

Publication date: 9/25/2012

Effective date: 8/2/2010

Next review date: 9/25/2015

Policy Area: Restrictions on Outside Activities

RPM Section (home): Conflict of Interest

RPM Section (cross-reference): 10.03

Functional Division: Research and Institutional Integrity Office

Prior reference information (optional): RPM Section 10.03

Source Requirements Documents

- University of California Conflict of Interest Code
- California Fair Political Practices Commission
- Political Reform Act of 1974
- California Government Code Section 87406, Milton Marks Postgovernment Employment Restrictions Act of 1990
- California Regulation 18746.1, Revolving Door; State One-Year Ban
- California Regulation 18746.2, Revolving Door; Appearances and Communications
- California Government Code Sections 87400–87405, Disqualification of Former Officers and Employees
- California Regulation 18741.1, Revolving Door; State Permanent Ban

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