



STATE OF CONNECTICUT

STATE ETHICS COMMISSION

ADVISORY OPINION NO. 89-1

Receipt of Union Salary by a State Employee
On Paid Leave

John A. Nord, Jr., Principal Labor Relations Specialist in the State's Office of Labor Relations, has asked the Ethics Commission for an advisory opinion regarding the following situation.

On January 2, 1986, the State Office of Labor Relations and the Connecticut Employees Union Independent (C.E.U.I.) executed a Memorandum of Understanding providing for a paid leave of absence for Mr. Steven Perruccio. The purpose of the leave is to allow Mr. Perruccio, a full time permanent State employee, to conduct union business. Under the terms of the Understanding the Union reimburses the State for one half of his salary and benefits while on leave. Sometime subsequent to the date of the Understanding Mr. Perruccio was elected President of the C.E.U.I. The Office of Labor Relations states that it has learned that he is receiving a substantial salary from the C.E.U.I., as President, while on paid leave from the State.

Mr. Nord wishes to know whether Mr. Perruccio's receipt of a union salary while on paid leave from State service is violative of any aspect of the Code of Ethics for Public Officials, Chapter 10, Part I, General Statutes.

The conflict of interests provisions of the Code, Sections 1-84 through 1-86, General Statutes, set forth, in various ways, one basic precept: public office or employment is a public trust, and should not be used for private financial gain.

In the situation under review, Mr. Perruccio is receiving a union salary by virtue of his position as C.E.U.I. President. He is not using his State position as a Material Storage Manager I to obtain the private financial benefit in question. Therefore, his actions in this matter are not in violation of the Code.

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The Memorandum of Understanding between the State and the C.E.U.I. is silent on the issue of whether or not Mr. Perruccio may receive an additional salary as Union President while on leave. If the State Office of Labor Relations wishes to bar such an arrangement, it must seek recourse other than the provisions of the Code of Ethics.

By Order of the Commission,



William A. Elrick
Chairperson

Dated

1/2/97

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