

**INSTRUCTIONS FOR DISCLOSURE BY PUBLIC EMPLOYEE
AS REQUIRED BY 930 CMR 6.02(3)**

ELECTION OR APPOINTMENT TO AN UNCOMPENSATED POSITION

WHEN TO USE THIS DISCLOSURE FORM

- STATE You already have a **compensated position with a state agency or another direct or indirect financial interest in a contract made by a state agency**, and you have been appointed or elected to serve in an **uncompensated position with the same state agency or another state agency**; or
- COUNTY You already have a **compensated position with a county agency or another direct or indirect financial interest in a contract made by a county agency**, and you have been appointed or elected to serve in an **uncompensated position with the same agency or another agency of the same county**; or
- MUNICIPAL You already have a **compensated position with a municipal agency or a direct or indirect financial interest in a contract made by a municipal agency**, and you have been appointed or elected to serve in an **uncompensated position with the same agency or another agency of the same city or town**.

The **compensated position** or **other financial interest in a public contract** must come **FIRST** in time. The **uncompensated position** must come **SECOND**.

You CANNOT USE this exemption if the only position you already have is an uncompensated position with a state, county or municipal agency and you are **adding a compensated public position or a financial interest in a public contract**.

Your existing financial interest in a public contract and your uncompensated position can be with the **same public agency**. They also can be with **different public agencies**.

EXISTING FINANCIAL INTEREST

You may use this exemption if you **either** have a compensated position with a public agency **OR** you already have a **direct or indirect financial interest in a public contract**.

- You have a **direct financial interest** if you have a **contract directly with a public agency** and derive some financial benefit or are subject to some financial obligation because of it.
- You have an **indirect financial interest** if you have a positive or negative stake in a **contract or transaction between a public agency and another person or entity**.

For example:

- You **work for compensation for a public agency**.
- You work for a private person or entity (e.g., a business, non-profit or organization), and the work is **funded by a contract made by a public agency**.
- You have an **ownership interest in a private entity** (e.g., a business or non-profit) **that receives funds by reason of a contract made by a public agency**.
- You have a **contract for goods, supplies or equipment, etc., with a public agency**;
- You have an **ownership interest in a private entity** (e.g., a business or non-profit), and **the entity has a contract for goods, supplies or equipment, etc. with a public agency**.
- A **private person or entity has a contract or transaction with a public agency**, and you have a **financial stake in the contract or transaction**.

UNCOMPENSATED POSITION

An **uncompensated position** is a position for which **no pay, benefits, per diems or retirement-related creditable service is provided.**

- **You CANNOT turn a compensated position into an uncompensated position** by waiving or declining the compensation.
- In an uncompensated position, **you may receive reimbursement for actual expenses.**

FILING THE DISCLOSURE

Complete the **disclosure** below.

If you already had a **compensated public position** when you added the uncompensated position, **file the disclosure with the appointing authority** for your compensated public position.

Otherwise, if you are reporting that you are adding an **uncompensated position with the state or a county**, **file the disclosure with the State Ethics Commission.**

If you are reporting that you are adding an **uncompensated position with a city or town**, **file the disclosure with the city or town clerk.**

If you need advice about completing the disclosure, please call the Attorney of the Day at (617) 371-9500 or e-mail the State Ethics Commission at requestadvice@massmail.state.ma.us.