

Conflict of Interest Rules for Former Employees

Statutory references which apply to employees leaving state service and former employees are:

1. **Government Code section 87406** places a one year ban on former state government officials from contacting specified government agencies and prohibits them from accepting compensation to act as the agent, attorney or representative of another person for purposes of influencing specified government agencies through oral or written communications.
2. **Government Code section 87407** prohibits state officials from making or participating in the making or using their official position to influence the making of government decisions directly relating to any persons with whom they are negotiating or otherwise involved in connection with prospective employment.
3. **Government Code section 1090** prohibits state employees from being financially interested in any contract made by them in their official capacity and from being purchasers at any sale or vendors at any purchase made by them in their official capacity. This prohibition extends to former employees.
4. **Government Code sections 87400 et seq.** provides that no former state administrative official (one who engages in any judicial, quasi-judicial or other proceeding other than that which is clerical, secretarial or ministerial) shall for compensation act as an agent or attorney for any person other than the State of California before any court or state administrative agency in a judicial or quasi-judicial proceeding if previously the official personally and substantially participated in the proceeding in his or her official capacity.

In addition, the Department of Transportation strongly recommends that former Caltrans employees review the rules and regulations enforced by the Fair Political Practices Commission (FPPC). Noncompliance could incur personal liability/penalty on the employee, current employer, consulting firm or other business using the services of the former employee. Following is the contact information for the FPPC.

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

<http://www.fppc.ca.gov/>