

• Ethics Officer's December Monthly Report

Summary

This report provides a general update on the progress and activities for the Office of Ethics.

Attachments

None

Detailed Report

Activities

1. Interviews for the Ethics Educator were conducted December 15 and 17, 2004. Final interviews with two finalists will be conducted the week of January 5, 2005.
2. The Fair Political Practices Commission has been notified that Metropolitan intends to amend its conflict of interest policy and list of designated positions. A board letter was prepared for the January 11, 2005 Board Meeting to incorporate changes.
3. The Ethics Office completed its portion of the report for the State Auditor. A final review of ethics policies in the Administrative Code and in the Operating Policy has been completed. A board letter is being prepared for the February 8, 2005 Board Meeting to incorporate changes.
4. The Ethics Officer reviewed budget and plans for the remainder of fiscal year 2004/2005.
5. The Ethics Officer will observe the hiring process of a position that is proving particularly sensitive.
6. Questions reviewed included ethical limits of internal holiday gift giving, receiving 'charitable donations' as a gift from a vendor, relationships between contractors and past employees, relationships between contractors and present employees, and contractor concerns about privacy and disclosure on the conflict of interest form.

Ethics Education

1. The Ethics Subcommittee meeting on January 25, 2005 will include a presentation by former FPPC Attorney Steven Churchwell on Form 700 and required disclosures for Directors and designated employees.
2. An Ethics Workshop is planned for Directors on February 15, 2005 on "Adaptive Leadership." The facilitator is Marty Linsky, President of Cambridge Leadership Associates (CLA). CLA was created to help individuals thrive in the midst of change.
3. All interviews are completed for the new Ethics Matters CD, *Ethics and MWD Mission*. Final transcripts are in preparation.

Matters of Concern

Matters brought to the attention of the Ethics Office prior to November 24, 2004 that were not previously reported as having a final disposition:

1. October 13, 2004 - Issue: Theft of Goods/Services
An employee has raised a previous matter, believed to be closed, regarding a contractor's use of Metropolitan property. Questions include the bidding process that brought in the contractor, disclosure regarding the use of district resources, and the documentation regarding the award of contract and use of district resources. The matter was reconsidered by the Intake Committee on November 29 with the recommendation that the matter move forward to Inquiry and Review. See below for additional report.
(57)

2. November 23, 2004 - Issue: Director-Staff Relationships
A concern was raised regarding a director's request that a staff member purchase alcohol for an inspection trip. The staff member complied. The staff member discussed the matter with the supervisor. The matter was reviewed by the Intake Committee for Director Concerns, December 14, 2004.
Disposition: Matter resolved informally. (76)
3. November 23, 2004 - Issue: Director-Staff Relationships
A director requested a deviation from an approved itinerary on the same trip. The staff member complied. The staff member discussed the matter with the supervisor. The matter was reviewed by the Intake Committee for Director Concerns, December 14, 2004.
Disposition: Matter was resolved informally. (77)

Matters brought to the attention of the Ethics Officer November 24, 2004 or later:

1. December 3, 2004 - Issue: Employee Relations
An employee alleges, through an expression of concern to The Network, that he has been the victim of deception, unfair promotional action and age discrimination in not receiving a promotion. The matter was referred to Human Resources for review to be reported back to the Ethics Office.
Disposition: Referred to appropriate department.

Formal Complaints

October 13, 2004 - Issue: Theft of Goods/Services

A matter, raised initially in August 2004, was referred to Inquiry and Review because attempts to resolve the concern informally were not successful. An employee has alleged that the contract awarded to Securitas, the contractor that provides security for Metropolitan facilities, was improperly rewarded and is being improperly administered. The complaint was reviewed by the Inquiry and Review Committee at its meeting of December 14, 2004. The Committee elected Director Edwards to chair the investigation; as this is a matter with staff as respondent, Director Farrar was excused from the process consistent with Ethics Office procedures. At the recommendation of the Committee, an external investigator has been retained, with Internal Audit conducting some aspects of the investigation. An initial report is due back to the Inquiry and Review Committee at its January meeting. (57)