

- Ethics Officer's December 2008 Monthly Report

## Summary

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This report provides a general update on the progress and activities for the Ethics Office for December 2008.

## Attachments

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None

## Detailed Report

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### Activities

1. The Ethics Officer continues to contact Member Agency General Managers to gather information regarding their ethics programs and processes and to offer assistance if desired.
2. The Ethics Officer is in the process of revising Operating Policy H-03 Ethics Policy – Involvement in Community or Political Activities with External Affairs and the Legal Department.
3. The Ethics Officer is working with General Counsel to revise the Administrative Code regarding Ethics Office investigation and enforcement processes.
4. The Ethics Office has verified that all Metropolitan Directors and Officers are now in compliance with the AB 1234 ethics training requirement.
5. The Ethics Office Web site logged 1,044 visitors from December 1-31, 2008.

### Logged Questions and Matters of Concern

1. **January 22, 2008 – Issue: Director Staff Concerns**

A concern was received regarding director involvement with business outreach. The Intake Committee convened February 26, 2008 to review the matter and the matter was forwarded to the Inquiry & Review Committee. The investigation is completed. Inquiry & Review Committee's and the Ethics Officer's reports were given at the Executive Committee meeting on Tuesday, November 25, 2008. The Executive Committee deliberated in closed session on November 25, 2008 and December 8, 2008 and a determination was made regarding this matter. (275)

Disposition: Closed

2. **August 13, 2008 – Issue: Misuse of Position**

A concern was received at the Ethics Office regarding alleged retaliation by a manager. The parties met in September and the Ethics Officer checked in with the employee through December, but no new incidents were reported. (305)

Disposition: Closed.

3. **October 9, 2008 – Issue: Policy Issues**

An anonymous concern was received through the hotline that managers were using company vehicles for personal use. The matter was reviewed with the supervisor, who reported no vehicle misuse. The caller provided additional dates of alleged misuse and the supervisor was again asked to investigate the matter. Vehicle use records are being reviewed. (318)

Disposition: Pending

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4. **November 13, 2008 – Issue: Falsification of Company Records**

An anonymous concern was received through the hotline regarding an employee allegedly falsifying a vanpool document. The matter is under investigation. (323)

Disposition: Pending

5. **December 3, 2008 – Outside Employment**

An employee asked if it is acceptable, under our policy, to teach a class at another public agency. As the agency is outside of Metropolitan's service area, does no business with Metropolitan, and the class is not related to the employee's job at Metropolitan, there is no conflict of interest. (329)

Disposition: Closed

6. **December 5, 2008 – Issue: Policy Issue**

An anonymous concern was received regarding an employee displaying private business brochures in Metropolitan work areas. Operating Policy H-03, Ethics Policy does not allow employees to use office space/Metropolitan property to promote private businesses. The employee was asked to remove the brochures from his/her work area. (330)

Disposition: Closed

7. **December 5, 2008 – Issue: Policy Issue**

A concern was received about an employee sending an e-mail during the workday to other MWD employees regarding that person's private business. The employee was reminded that Operating Policy H-03 does not allow employees to use office space or Metropolitan property to promote private businesses. (331)

Disposition: Closed

8. **December 18, 2008 – Issue: Conflict of Interest/Commitment**

A query was received from an employee regarding offers from a vendor for free training. Clarification regarding contractual terms was requested. (332)

Disposition: Pending