2018/19 Business Plan

Ethics Department

Audit & Ethics Committee

July 24, 2018

Ethics Office

- **Established by legislation enacted in 2000**
- **With a conviction that a strong ethical culture is the foundation of good governance.**
- **Ethical culture is created through a robust ethics program that sets clear expectations for conducting business within the organization and with external parties.**

An Ethical Culture is based on:

- **Effective board oversight,**
- **Strong tone-at-the-top messaging,**
- **Executive management involvement,**
- **Organization-wide commitment,**
- **A customized code of conduct,**
- **Ethics training/communications, and**
- **Ongoing monitoring systems.**

Ethics Office

It also involves

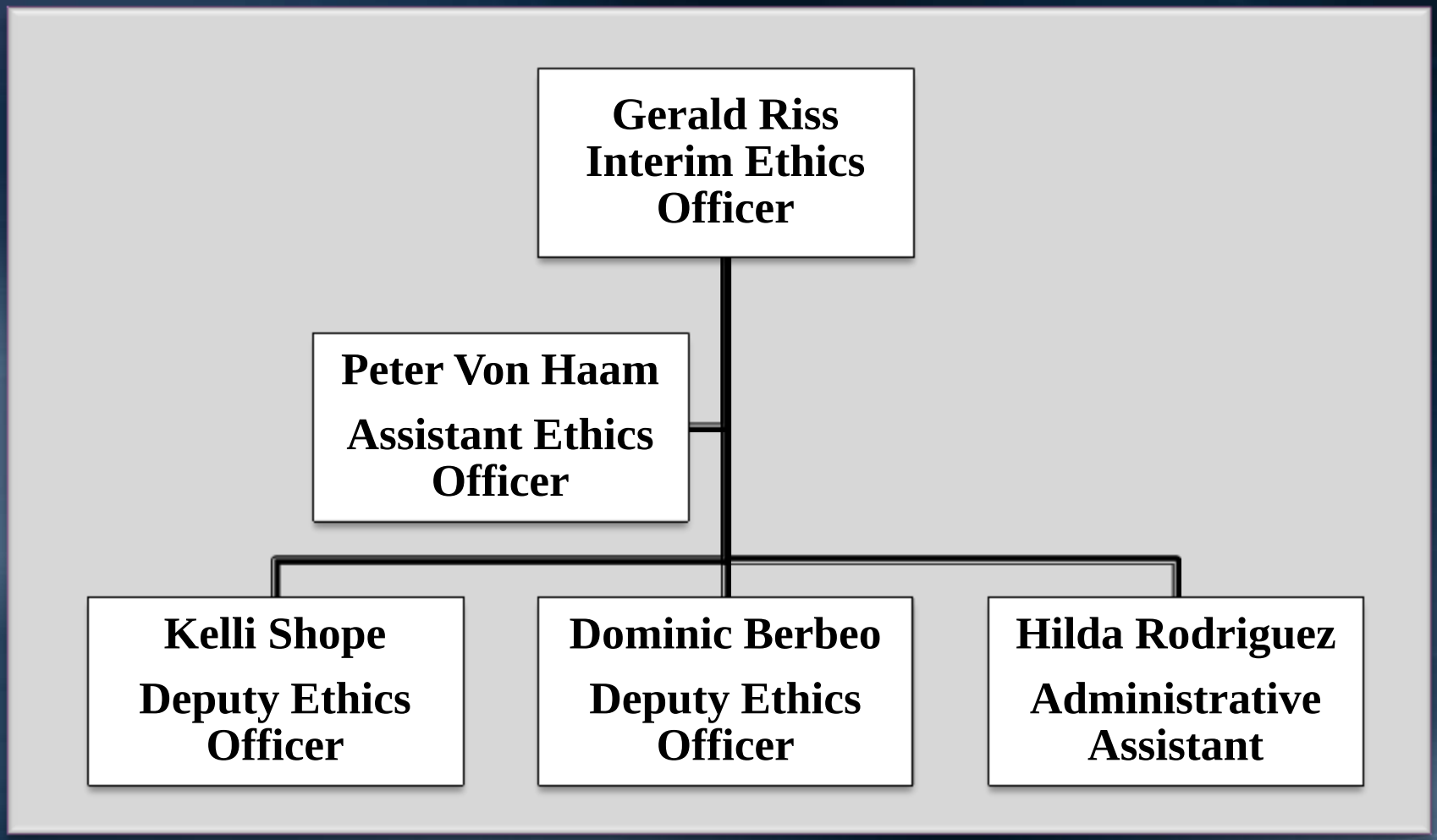
- **Administration of financial disclosure reports,**
- **Anonymous incident reporting system,**
- **Timely investigation of reported incidents,**
- **Publication of summary investigation findings,**
- **Referrals to Department managers for consistent disciplinary action.**

Ethics Office

These processes promote:

- **Transparency and accountability,**
- **Allowing the public insight into how the district conducts its business, and**
- **Holding district officials accountable for meeting internal and state ethics standards.**

Ethics Office



Audit & Ethics Committee
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Ethics Office – Goals & Objectives

Personnel & Operational Objectives

- ✓ Identify training for **ethics staff to enhance skills** and broaden knowledge of Metropolitan operations.
- ✓ **Promote diversity** and foster a broad range of perspectives.
- ✓ Efficiently **manage the department's budget** for maximum effectiveness of stated budgetary objectives
- ✓ **Uphold the roles and responsibilities** of the Ethics Department.

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Ethics Office – Goals & Objectives

- **Strategic Objectives**
  - **Ethics Consultations – provide ethics risk perspective to directors, officers, and employees**
  - **Policy Development – assess the scope and content of policies and procedures**
  - **Investigations – independent, objective, and comprehensive with timely reporting**
  - **Education and Outreach – Design accessible and clear programs**

Article 5

ETHICS OFFICER

Sec.
6470. Powers and Duties
6471. Authority to Investigate
6472. Authority to Obtain Professional Services
6473. Annual Report to Ethics Subcommittee
6474. Ethics Training Required by Government Code

§6470. Powers and Duties.

The powers and duties of the Ethics Officer shall be as follows:

(a) The Ethics Officer shall report directly to the Board, and shall be staffed with professional, qualified persons.

(b) The Ethics Officer shall establish ethics rules for conduct and decision-making processes for approval and adoption by the Board relating to internal disclosure, conflicts of interests, contracts, gifts, lobbying, and campaign contributions for application to its board members, officers and employees.

(c) The Ethics Officer shall propose for adoption a schedule of penalties for violations of the District's ethics rules and policies.

(d) The Ethics Officer shall educate the board, staff, contractors and subcontractors concerning the rules prescribed in subsection (b) above.

(e) The Ethics Officer shall be the filing officer on behalf of the District to receive and file statements of economic interest pursuant to the California Government Code and Section 7205 of this Administrative Code.

M. I. 45285 - April 8, 2003; paragraph (e) deleted by M. I. 46338 - August 16, 2005; paragraph (e) added by M.I. 49648 - January 14, 2014.

§6471. Authority to Investigate.

(a) The Ethics Officer shall investigate complaints concerning any violations of ethics rules and policies established by the organization, except as follows:

1. The Ethics Officer shall not investigate alleged violations of ethics provisions in cases where there are no specific or defined standards of conduct, including matters alleging only generalized unfairness, unequal treatment, or bias.
2. The Ethics Officer shall not investigate alleged misuse of confidential information by officers or employees unless:
   i. The confidential information at issue was not subject to disclosure under the Public Records Act; and
   ii. The use or disclosure of the information had, or could reasonably be expected to have, a material financial effect on any financial interest of the

Ethics Office – Future Actions

Lance Olson (Olson Hagel & Fishburn LLP)
to make recommendations to revise

- ✓ **Administrative Code**
- ✓ **Ethics Office policies, procedures, and practices**

Ethics Staff

- ✓ **Support and Assist this process**
- ✓ **Provide feedback and affirm revisions**
- ✓ **Implement Board approved changes**

Questions