



● **Board of Directors**
Audit and Ethics Committee

9/11/2018 Board Meeting

8-5

Subject

Adopt CEQA determination, approve the job description for the Ethics Officer and approve the hiring process for the Ethics Officer

Details

The Board of Directors has requested that staff initiate the process to hire a qualified Ethics Officer. In order to facilitate the process, staff is requesting that the Board approve the attached job description for the Ethics Officer and the proposed hiring process.

The proposed job description is attached. The job description has been modified from the prior job description to emphasize the role of the Ethics Officer in fostering an ethical culture at Metropolitan.

Staff recommends that a professional recruitment firm be engaged to assist in the search for the new Ethics Officer. Recruitment firms are generally used to assist in the search for executive level staff and District Officers. Staff further recommends that the Audit and Ethics Committee, with the approval of the full Board, establish a search committee consisting of five Board members, including the Chair of the Audit and Ethics Committee, a member of the Executive Committee, and three other members of the Board, to review the applications recommended by the search firm, conduct initial interviews, and recommend finalists to be interviewed by the full Board. The selection of the new Ethics Officer will be made by majority vote of the Board.

Attachment 1 is the job description.

Recommendation:

Staff recommends adoption of the attached job description for the Ethics Officer and the hiring process described above.

Policy

Metropolitan Water District Act Section 126.7 Establishment of Office of Ethics

Metropolitan Water District Administrative Code Section 6470: et seq. Ethics Officer

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because the proposed action will not cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (Public Resources Code Section 21065; State CEQA Guidelines Section 15378(a)). In addition, the proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as personnel-related actions, general policy and procedure making (State CEQA Guidelines Section 15378(b)(2)).

The CEQA determination is: Determine that the proposed action is not defined as a project under Public Resources Code Section 21065 and Sections 15378(b)(2) of the State CEQA Guidelines.

CEQA determination for Option #2:

None

Board Options

Option #1

Adopt the CEQA determination that the proposed action is not defined as a project, and
Approve the job description for the Ethics Officer, and approve the hiring process described above.

Fiscal Impact: None

Business Impact: Facilitates moving forward with the selection of a new Ethics Officer in a timely manner.

Option #2

No CEQA required
Do not approve.

Fiscal Impact: None

Business Impact: Delays the process of hiring a new Ethics Officer.

Staff Recommendation

Option #1



Jeffrey Kightlinger
General Manager

9/6/2018
Date

Attachment 1 – Ethics Officer Job Description

Ref# bd12658803



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

ETHICS OFFICER

Group-Section: Office of the Ethics Officer	FLSA Status: Exempt Bargaining Unit: Unrepresented	Salary Grade: Job #: Z16
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JOB SUMMARY

Under the general administrative direction of Metropolitan’s Audit and Ethics Committee, the Ethics Officer is responsible for fostering and maintaining strong ethics programs that contribute to the establishment of an enduring ethical culture at Metropolitan, provision of ethics education, and direction of policies, programs and activities related to the administration and enforcement of Metropolitan’s ethics and conflicts of interest rules.

OVERSIGHT

Reports to the Board of Directors. Manages and supervises a staff of managers, professionals, paraprofessional, and administrative support.

JOB DUTIES

1. Educates, administers, develops, monitors and directs Metropolitan’s ethics program, including policies and procedures, educational and enforcement components.
2. Develops and conducts educational and training programs and materials for Board members, managers, staff and contractors/vendors.
3. Provides advice to Board members, managers, staff, or contractors/vendors on Metropolitan ethical and conflict of interest rules, California Political Reform Act ethics and conflicts of interest rules and Government Code section 1090 conflict of interest laws.
4. Manages Metropolitan’s ethics and compliance program; implements initiatives to foster an ethical culture throughout Metropolitan; may propose ethical guidelines for review by the Audit and Ethics Committee and approval by the Board of Directors.
5. Reviews Statements of Economic Interest filed by Metropolitan Board members and managers and ensures compliance with financial disclosure by all Metropolitan personnel and, where applicable, contractors and vendors.
6. Informs the Board of Directors and senior management of risks, incidents, and initiatives driven by the ethics and compliance program, and progress toward program goals.
7. Oversees and participates in investigations of potential ethics violations, by directors, employees and contractors/vendors, of ethical and conflict of interest rules.
8. Develops and implements procedures to protect both complainants and the confidentiality of sources; and maintains a hotline and investigates incidents reported to the hotline.

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9. Proposes to the Audit and Ethics Committee a biennial budget and annual business plan for the Ethics Office.
10. Manages the day-to-day administration of the Ethics Office, including supervising ethics and compliance staff.
11. Works in a collaborative manner with the Offices of the General Manager, General Counsel, and General Auditor in developing and implementing the ethics program.
12. Performs other duties as assigned by the Board of Directors.

EMPLOYMENT STANDARDS

MINIMUM REQUIREMENTS

Education and Experience: A bachelor's degree from an accredited college or university with major course work in ethics, accounting, business administration, law, public administration or a related field and 5 years of increasingly responsible experience in the development, management, or administration of an ethics program in either the private or public sector. Preference is given for an advanced degree, but this is not an absolute requirement. Preference is also given for some formal training in the field of ethics and conflicts of interest rules.

- **Required Knowledge of:** The field of ethics in government and business
- Public administration
- Local, state and federal laws, rules and regulations related to governmental ethics and conflicts, of interest
- California Political Reform Act of 1974
- Methods of education in the field of ethics in government and business
- Principles of investigation and protection of due process rights
- Principles and practices of supervision, training, and performance evaluations

- **Required Skills and Abilities to:** Oversee the operations of ethics and conflict of interest programs
- Determine strategies to achieve goals
- Establish and implement policies and procedures
- Compile, analyze, and interpret complex data
- Understand, interpret, and apply laws, rules, regulations, policies, procedures, contracts, budgets, and labor/management agreements
- Analyze situations, identify problems, and recommend solutions
- Exercise judgment and creativity in making decisions
- Effectively use strong oral and written communication skills
- Represent Metropolitan before the public

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- Prepare comprehensive reports and correspondence
- Interact professionally with various levels of Metropolitan employees and outside representatives
- Supervise subordinate staff
- Resolve conflict
- Effectively use strong interpersonal relationship skills
- Travel to offsite locations within a reasonable timeframe

CERTIFICATES, LICENSES, AND REGISTRATIONS REQUIREMENTS

Employees in this position may be required to obtain and maintain the following certifications, licensing, and registrations:

Certificates

- None

Licenses

- Valid California Class C Driver License that allows you to drive in the course of your employment

Registrations

- None

PHYSICAL DEMANDS, WORK ENVIRONMENT, AND VISION REQUIREMENTS

The physical demands and work environment characteristics described here are representative of those that must be met or may be encountered by an employee to successfully perform the job duties of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the job duties.

Physical Demands: The work is sedentary. Typically, the employee may sit comfortably to do the work. However, there may be some walking; standing; bending; carrying of light items such as paper, books, or small parts; driving an automobile, etc. No special physical demands are required to perform the work.

Work Environment: The work environment involves everyday risks or discomforts that require normal safety precautions typical of such places as offices, meeting and training rooms, libraries, and residences, e.g., use of safe work practices with office equipment, avoidance of trips and falls, observance of fire regulations and traffic signals, etc. The work area is adequately lighted, heated, and ventilated.

Vision Requirements: No special vision requirements

PERFORMANCE CATEGORIES

Performance expectations would typically be tailored to the job and incumbent. The general categories for this job could include but are not limited to:

- Budget

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- Organizational effectiveness and efficiency
- Compliance with applicable local, state and federal regulatory agencies
- Mutually beneficial working relationships with external regulatory and government agencies
- Research development and anticipation of emerging issues
- Selection and retention of workforce to meet Metropolitan diversity objectives
- Legislative/regulatory impact

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