



# BOARD OF ETHICS 2015 ANNUAL REPORT

JANUARY 1, 2015 - DECEMBER 31, 2015

Submitted by Board of Ethics:

George Pruden, II, Chair

Steven Hausman, Member

Robert Moore, Member

R. Wayne Keeler, Alternate Member

Submitted April 14, 2016

# Washington Suburban Sanitary Commission Annual Ethics Report Calendar Year 2015

## Overview

Pursuant to the Maryland Public Ethics Laws §§ 5-823(d) and 5-830(d) and Washington Suburban Sanitary Commission (WSSC) Code of Ethics § 2-10, this report covers conflicts of interest matters brought before the WSSC Board of Ethics (Board) and addresses lobbying activities occurring during Calendar Year 2015.

The current WSSC Board of Ethics members are:

Dr. Steven J. Hausman (Montgomery County appointment)

Mr. Robert J. Moore (any board member appointment, resides in Prince George's County)

Mr. George E. Pruden, II, (Prince George's County appointment)

Currently, Mr. Pruden presides as Board Chair. Additionally, Mr. R. Wayne Keeler (Montgomery County) serves as the alternate member.

The Board maintains a public website accessible through WSSC's home page and found at <https://www.wsscwater.com/about-us/board-of-ethics-1.html>. The website provides information to WSSC ratepayers and other interested parties regarding the Board members, the Board's area of responsibility, and contact information for the Ethics Office. Visitors to the page can review and download WSSC's Code of Ethics, lobbyist registration information, and a list of entities doing business with WSSC. All of the Board's Advisory Opinions, Waiver decisions, and Complaint rulings are also accessible through the webpage. WSSC employs an Ethics Officer, who reports functionally to the Board, and an administrative professional.

## Meeting Activities

The Board conducted twelve (12) meetings in 2015 to address matters within its purview, including but not limited to:

- ◆ Three (3) new Advisory Opinion requests;
- ◆ Five (5) Complaints (three were new in 2015);
- ◆ Proposed changes to the WSSC Code of Ethics;
- ◆ Financial Disclosure Statement filings;
- ◆ Lobbyists activities; and
- ◆ Ethics training for WSSC employees.

Appendix A summarizes the Advisory Opinions and Complaints considered in 2015 and also provides updates on matters that were pending at the time of the 2014 report.

## Financial Disclosure and Conflict of Interest Statements

Section 5-1 of WSSC's Code of Ethics delineates who must file financial disclosure statements annually. WSSC reviewed 639 financial disclosure statements in 2015. Additionally and in accordance with Code § 3-7, WSSC reviewed 941 conflict of interest statements from employees who are not required to file financial disclosure statements.

### **Lobbyist Report**

Persons and organizations lobbying WSSC are required to register as a lobbyist if there is (1) communication to influence and (2) lobbyist compensation or expenditures meet or exceed specified thresholds.

Appendix B summarizes the lobbyist expenditures reported to WSSC for calendar year 2015.

### **Additional 2015 Ethics Program Highlights:**

- ◆ Angelique Dorsey, Esq. was hired in December 2015 to serve as WSSC's new Ethics Officer after the departure of the previous ethics officer.
- ◆ All employees must complete one (1) hour of annual ethics training. By the close of 2015, 99% of employees had completed this requirement. The Ethics Officer provides live monthly training to onboarding employees in conjunction with Human Resources' New Employee Orientation.
- ◆ The Ethics Program published Ethics updates and reminders in the internal WSSC employee newsletter, *Fish Tales*.
- ◆ WSSC's Ethics Office served as the primary point of contact for all ethics concerns and, under the oversight of the Board of Ethics, resolved a number of matters informally.

CY 2015  
WSSC BOARD OF ETHICS

ADVISORY OPINION REQUESTS

Advisory Opinion No.	Matter Summary	WSSC Code of Ethics Section Referenced	Resolution/Status (End of CY 2015)
A-15-01	A WSSC employee requested the Board's opinion on overseeing work on a contract while the employee's spouse is an employee of one of the contractors, but does not work on the project the employee oversees.	§ 3-1	Pending.
A-15-02	A contractor requested guidance regarding whether a former WSSC employee could work on certain projects for the contractor.	§ 3-3(a)	Request withdrawn due to former employee's departure from the contractor.
A-15-03	A WSSC employee requested guidance on the types of employment s/he could engage in with contractors and subcontractors upon his/her retirement.	§ 3-3	Advisory Opinion issued on December 10, 2015.

CY 2015  
WSSC BOARD OF ETHICS

COMPLAINTS

Complaint No.	Allegation Summary	WSSC Code of Ethics Section Referenced	Resolution/Status (End of CY 2015)
C-14-03	Former employee was alleged to have participated in matters involving a WSSC contractor at a time when, as an employee, the employee applied for employment, was negotiating employment, and/or arranged employment with the contractor. Further alleged that former employee assisted and/or represented contractor on matters involving WSSC that the employee participated significantly in while working for WSSC after obtaining employment with the WSSC contractor.	§§ 3-1(a) and 3-3(a)	The former employee entered into a stipulation of settlement agreement acknowledging that the preponderance of evidence, if submitted at a hearing, would be sufficient to support a Board finding that he had violated Code § 3-1(a)(3). The Board dismissed the allegations related to § 3-3(a).
C-14-04	Contractor was alleged to have made an offer or promise of future employment and/or engaged in discussions regarding future employment with employee (now former employee) during the time when the employee participated significantly in procurement on which contractor intended to submit a bid or offer.	§ 4-3(a)	The contractor entered into a stipulation of settlement agreement acknowledging that the preponderance of evidence, if submitted at a hearing, would be sufficient to support a Board finding that it had violated Code § 4-3(a)(1).
C-15-01	Former employee alleged to be working for a contractor on WSSC matters within 12 months of separating from WSSC.	§§ 3-3(b) and (c)	Complaint dismissed after Board determined the former employee was properly retained under the exception procedure contained in § 3-3(c).
C-15-02	Contractors were alleged to have conspired to falsify documents to make it appear that one of the contractors was meeting WSSC's subcontracting requirements.	§§ 4-3(d)	Pending.
C-15-03	A WSSC Team Chief and a contractor were alleged to have misused their WSSC position and access for the benefit of the contractor.	§§ 1-2; 3-1(a) and (b); 3-4(a), (f) and (g); and 4-3(b), (d) and (e)	Pending.

**CY 2015**  
**WSSC BOARD OF ETHICS**

**CY 2015 - LOBBYIST EXPENSES FOR EACH COMPANY**  
**AS REPORTED ON THE WSSC LOBBYIST ACTIVITY REPORT**

	<b>LOBBYIST</b>	<b>COMPANY</b>	<b>DATE OF REGISTRATION</b>	<b>REPORTING PERIOD</b>		<b>Total</b>
				<b>1/1/2015 thru 06/30/15</b>	<b>7/01/15 thru 12/31/15</b>	
1	R. Wineholt/W.S. Pharr/N. Whiteman	Apartment & Office Bldg. Assoc. of Metropolitan Wash.	9/27/2012	\$1,622.95	\$1,457.92	\$3,080.87
2	N. Greenbaum	Bainbridge - The Monty	12/17/2013	\$0.00	\$900.00	\$900.00
3	N. Greenbaum	The Bernstein Companies/Bethesda Center	2/19/2015	\$900.00	\$0.00	\$900.00
4	N. Greenbaum	Brookes Lane Development	3/19/2014	\$112.50	\$0.00	\$112.50
5	E. Vaias/N. Greenbaum	Brookfield Residential/Egan Property	12/19/2014	\$675.00	\$0.00	\$675.00
6	N. Greenbaum	Burdette Properties	12/3/2015	\$0.00	\$112.50	\$112.50
7	N. Greenbaum	Cabin Branch Management	5/28/2013	\$0.00	\$0.00	\$0.00
8	N. Greenbaum	EYA/Chevy Chase Lake	6/15/2015	\$0.00	\$337.50	\$337.50
9	N. Greenbaum	Crestwood Terrace Apts	7/7/2014	\$0.00	\$0.00	\$0.00
10	N. Greenbaum	Emmanuel Baptist Church	7/11/2013	\$0.00	\$0.00	\$0.00
11	N. Greenbaum	EYA/CSP Associates	11/5/2014	\$1,462.50	\$1,687.50	\$3,150.00
12	N. Greenbaum	Joel Fernebok	9/25/2013	\$0.00	\$0.00	\$0.00
13	S. Kaufman/N. Greenbaum	Gables Residential	1/13/2015	\$3,375.00	\$450.00	\$3,825.00
14	N. Greenbaum/B.Sears	Glenstone (Rales) Foundation	9/14/2011	\$0.00	\$0.00	\$0.00
15	N. Greenbaum	Mid Pike Plaza/Federal Real. Investment Trust	9/14/2011	\$13,337.50	\$6,974.50	\$20,312.00
16	N. Greenbaum	JBG Cos./Parklawn	3/18/2015	\$3,150.00	\$0.00	\$3,150.00
17	N. Greenbaum	EYA/Rock Spring	11/3/2014	\$1,125.00	\$3,037.00	\$4,162.00
18	N. Greenbaum	Sunbrook Partners	1/20/2011	\$0.00	\$2,475.00	\$2,475.00
<b>Total Compensation and Expenses</b>				<b><u>\$ 25,760.45</u></b>	<b><u>\$17,431.92</u></b>	<b><u>\$43,192.37</u></b>