

BOARD OF ETHICS
WASHINGTON SUBURBAN SANITARY COMMISSION

REQUEST FOR ADVISORY OPINION # A-08-04

SUBJECT: CODE OF ETHICS § 3-6(e): ACCEPTANCE OF HONORARIUM

By request dated March 24, 2008, a WSSC employee (“Requestor”) asked the Board of Ethics (Board) for an advisory opinion regarding whether the employee may accept an offer from a national trade association to pay his travel, meal and lodging expenses in exchange for speaking at the association’s annual meeting and conference.

Section 3-6(e) of the WSSC Code of Ethics (Code) addresses this issue of accepting an honorarium. Honorarium is defined in the Code as “the payment of money or anything of value for (1) for speaking to, participating in, or attending a meeting or other function; or (2) writing an article that has been or is intended to be published.” Section 3-6(e) of the Code states:

(1) Except as provided in paragraph (2) of this subsection, an employee may not accept an honorarium if the payer of the honorarium has an interest that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance of the individual’s official duty; and the offering of the honorarium is in any way related to the individual’s official position.

(2) An employee may accept an honorarium under this subsection if the honorarium is limited to reasonable expenses incurred for the employee’s meals, travel, and lodging, and reasonable and verifiable expenses for care of a child or dependent adult or gifts that are otherwise permitted under paragraphs (2), (3), and (6) of subsection (d) of this section.

The requestor has been invited to speak, as a recognized expert in his field, at the trade association’s annual meeting and conference. The trade association is offering to pay the requestor’s expenses including airfare, hotel accommodations, meals, and other associated travel expenses. There is no other fee or payment being offered. The trade association does not do business with WSSC, however, some of the companies that belong to the association either do business with WSSC or may do business with WSSC in the future.

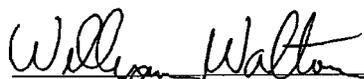
It is the Board’s opinion that the Requestor may accept the trade association’s offer to cover “reasonable” expenses as permitted under § 3-6(e)(2) of the Code. This would include coach airfare to and from the conference, meals at the conference, the discount hotel rate that the other conference attendees receive, and other attendant travel expenses (e.g. taxi fare) that may be expended.

The circumstances presented here illustrate why this type of “honorarium” is permitted under the Code. As an agency, WSSC can only benefit from having its “experts” represent WSSC at these types of conferences and share knowledge with others in the water and wastewater industry. Although certain members of the trade association may do business with

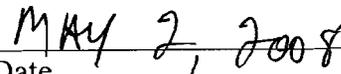
WSSC, the trade association itself does not. It is clear from the correspondence that we reviewed from the trade association to the Requestor that the payment of reasonable expenses is being made by the trade association itself and not by any one individual vendor member.

We emphasize that our opinion is based specifically on the facts presented here. If the party offering to pay the expenses had been a contractor or potential contractor with WSSC, our opinion may have been different, depending on the circumstances.

On motion by Mr. Walton, seconded by Mr. Hausman, the Board agreed at its meeting held on April 10, 2008 to adopt the foregoing advisory opinion.



William Walton, Chair



Date