

BOARD OF ETHICS
WASHINGTON SUBURBAN SANITARY COMMISSION

ADVISORY OPINION # A-17-02

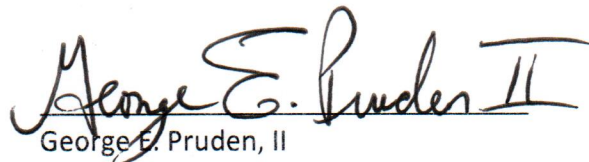
SUBJECT: SCOPE OF BOARD OF ETHICS' OVERSIGHT OVER UNION ACTIVITIES OF
EMPLOYEES

By request dated March 7, 2017, a Washington Suburban Sanitary Commission ("WSSC") employee ("Requestor") has asked the Board for a determination as to whether the WSSC Code of Ethics applies to a WSSC employee acting in his/her capacity as a union official. The requestor gives the example of a WSSC union official who removes an employee from the union position of shop steward. Section 1-1 of the Code of Ethics ("Code") establishes the purpose and scope of the Code. The Code provides, in pertinent part, that WSSC employees are "required to maintain the highest professional and ethical standards in the performance of their *official duties*." [Emphasis added.] Considering the specific facts that Requestor has presented, the Board advises that its jurisdiction does not reach matters that are purely union activities. In the example given by Requestor, the decision to remove a shop steward does not involve the employee's official WSSC duties and is therefore purely a union activity. As the Board sees it, "official duties" are limited to those duties described in the employee's WSSC job description. Activities such as appointing and removing union shop stewards are not part of any job description at WSSC.

The foregoing analysis does not preclude the Board from considering other fact situations that may arise in the future which involve both union activities and WSSC duties.

Based on the specific facts presented here, however, and for the reasons set forth herein, the Board of Ethics does not have jurisdiction to apply the Code of Ethics to the union activities of appointing and removing shop stewards.

On motion by Steven Hausman, seconded by Robert Moore, the Board agreed at its meeting held on July 13, 2017 to adopt the foregoing advisory opinion by a vote of 3-0.


George E. Pruden, II
Chair

8/3/17
Date