

BOARD OF ETHICS CY 2018 ANNUAL REPORT

JANUARY 1, 2018 – DECEMBER 31, 2018

Prepared by:
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Ethics Officer

Submitted by

Board of Ethics Members:

George Pruden, II, Chair

Steven Hausman, Member

Jeffrey Hysen, Member

Lorielle Pankey, Alternate Member

Submitted to the Commission
on April 15, 2019

Washington Suburban Sanitary Commission Annual Ethics Report Calendar Year 2018

Overview

Pursuant to the Maryland Public Ethics Laws, Annotated Code, General Provisions Article §§ 5-823(d) and 5-830(d) and the Washington Suburban Sanitary Commission (“WSSC”) Code of Ethics Chapter 1.70.140, this report covers conflicts of interest matters brought before the WSSC Board of Ethics (“Board”) and addresses lobbying activities occurring during Calendar Year 2018.

Board member Robert Moore ended his service to WSSC in January 2019. The current WSSC Board of Ethics members are:

Mr. George Pruden, II (Chair),
Dr. Steven Hausman,
Mr. Jeffrey Hysen, and
Ms. Lorie Pankey (Alternate Member).

The Board maintains a public website that is accessible through WSSC’s “About Us” tab on the home page (found at <https://www.wsscwater.com/BOE>). The website provides information to WSSC employees, contractors, ratepayers, stakeholders, and other interested parties regarding the Board members, the Board’s area of responsibility, the Ethics Program at WSSC, and contact information for the Ethics Office. Visitors to the page can access WSSC’s Code of Ethics, lobbyist registration information, and a list of entities doing business with (or regulated by) WSSC. The Board’s Advisory Opinions, Waiver Request decisions, and Complaint rulings are also accessible through the webpage.

The WSSC Ethics Office consists of Ethics Officer Angelique Dorsey White, who reports functionally to the Board and administratively to WSSC’s General Counsel Amanda Stakem Conn. Administrative support is provided by Latonya Allen.

Meeting Activities

The Board conducted twelve (12) regular meetings in 2018 to address matters within its purview including, but not limited to:

- ◆ Eleven (11) Complaints;
- ◆ Four (4) requests for a Waiver;

- ◆ Two (2) Advisory Opinion requests;
- ◆ Changes to the WSSC Code of Ethics;
- ◆ Annual disclosure statement filings;
- ◆ Lobbyist activities; and
- ◆ Ethics training for WSSC employees.

Appendix A summarizes the formal Complaints, Waiver requests and Advisory Opinion requests considered in 2018 and provides updates on matters that were pending at the time of the 2017 report.

Financial Disclosure and Conflict of Interest Statements

WSSC collects information annually from employees to enable it to identify and manage conflicts of interest.

Chapter 1.70.330 of WSSC’s Code of Ethics (“Code”) provides who must file financial disclosure statements annually. WSSC received 776 financial disclosure statements in 2018. Additionally, in accordance with Code Chapter 1.70.230, WSSC received 904 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 meeting or exceeding specified thresholds. (See Code Ch. 1.70.380).

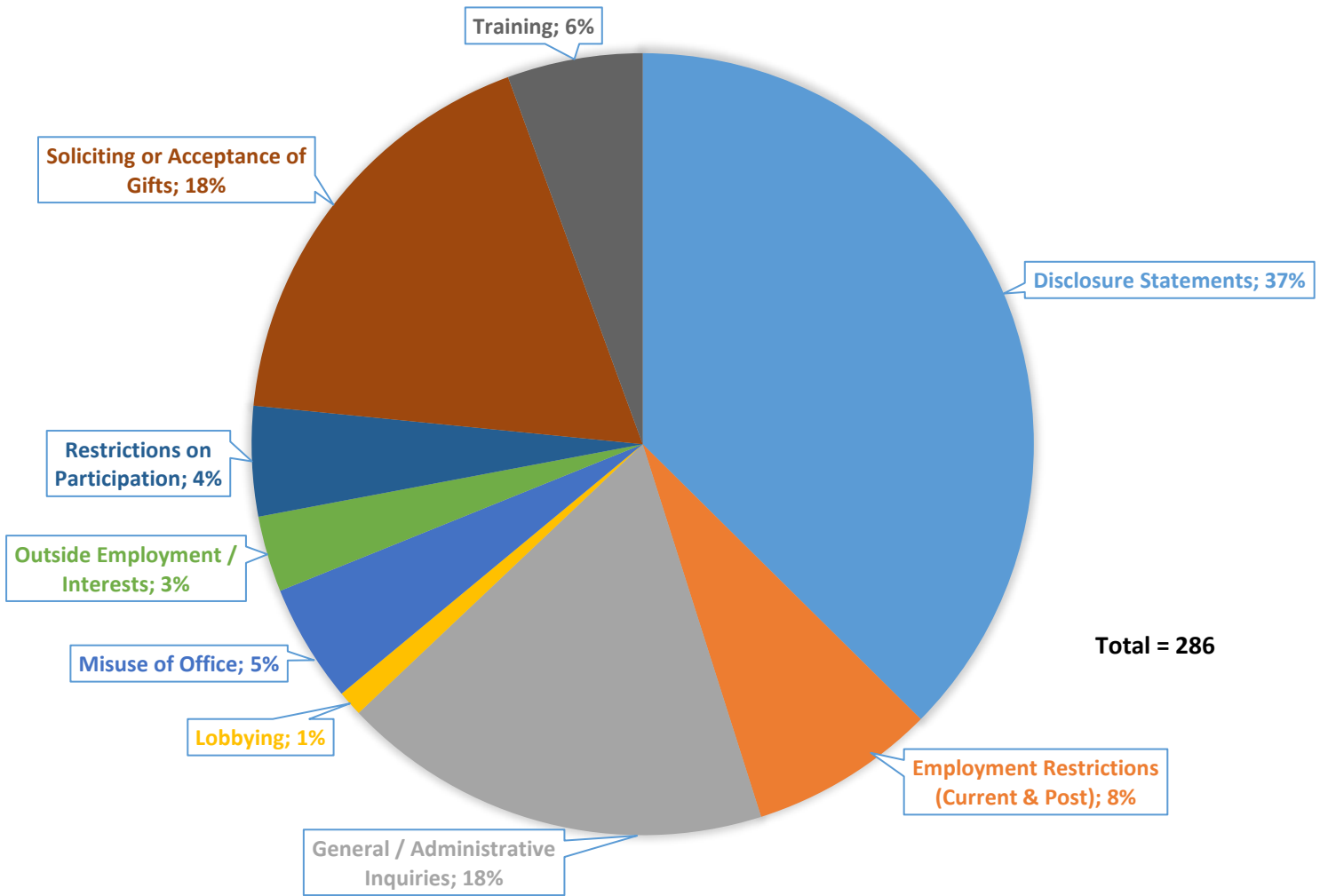
Appendix B summarizes the lobbyist expenditures reported to WSSC for calendar year 2018.

Additional 2018 Ethics Program Highlights:

- ◆ All employees must complete one (1) hour of ethics training annually in accordance with Code Chapter 1.70.160. By December 31, 2018, all WSSC employees who were not on a leave status had completed the training.
- ◆ In conjunction with the monthly Human Resources’ New Employee Orientation, 151 employees participated in live ethics training given by the Ethics Officer.
- ◆ The Ethics Officer, in conjunction with Human Resources and the General Counsel’s Office, developed an Anti-Nepotism policy. The policy implements Code Chapter 1.70.200(d) by providing a mechanism to help ensure that employees cannot influence the hiring of a relative.

- ♦ WSSC’s Ethics Office served as the primary point of contact for all ethics concerns and, under the general oversight of the Board of Ethics, provided informal advice on 286 ethics inquiries received by the office. The chart below contains the topics covered.

CY 2018 ETHICS OFFICE GUIDANCE BY CATEGORY



CY 2018
WSSC BOARD OF ETHICS MATTERS

ADVISORY OPINIONS

Matter No.	Matter Summary	WSSC Code of Ethics Provision Referenced	Resolution/Status
A-18-01	A WSSC contractor requested guidance on whether a former WSSC employee could be included on a bid proposal in response to an advertised procurement solicitation.	Ch. 1.70.190 (formerly § 3-3)	Request was dismissed as moot after the solicitation was cancelled by WSSC prior to opening the submitted bids.
A-18-02	A WSSC retiree requested guidance regarding the type of work he can do with a WSSC contractor within the 12-month post-employment restriction period.	Ch. 1.70.190 (formerly § 3-3)	Advisory Opinion # A-18-02 issued and a summary of the decision is located on the Board of Ethics website.
A-18-03	A WSSC contractor requested guidance on whether a former WSSC employee could be included on a bid proposal in response to an advertised procurement solicitation.	Ch. 1.70.190 (formerly § 3-3)	Advisory Opinion # A-18-03 issued and a summary of the decision is located on the Board of Ethics website.

CY 2018
WSSC BOARD OF ETHICS MATTERS

COMPLAINTS

Matter No.	Matter Summary	WSSC Code of Ethics Provision Referenced	Resolution/Status
C-16-03	A WSSC employee was alleged to have managed a contract for a vendor that employs a qualifying relative.	Ch. 1.70.170 (formerly § 3-1)	The Board and the employee entered into a settlement agreement, a summary of which is located on the Board of Ethics website.
C-17-02	Alleged violation of conflict of interest provisions by a WSSC employee involving favoritism to a WSSC contractor based on a personal benefit.	Chs. 1.70.170 and 1.70.200 (formerly §§ 3-1 and 3-4)	Complaint Opinion # C-17-02 issued and a summary of the decision is located on the Board of Ethics website.
C-17-05	A WSSC employee was alleged to have misused his/her office for a personal benefit.	Ch. 1.70.200 (formerly § 3-4)	Complaint dismissed after the Board reviewed the preliminary report and determined that it did not merit further proceedings.
C-18-01	A WSSC employee was alleged to have taken action on matters involving a vendor that employs a qualifying relative.	Ch. 1.70.170 (formerly § 3-1)	Complaint was dismissed as moot after the Respondent's employment with WSSC ended.
C-18-02	A WSSC employee was alleged to have taken action on matters involving a vendor that employs a qualifying relative.	Ch. 1.70.170 (formerly § 3-1)	Pending.
C-18-03	A former WSSC employee was alleged to have failed to file a required final financial disclosure statement upon separation from the Commission.	Ch. 1.70.340 (formerly § 5-2)	Complaint dismissed after the respondent cured the alleged violation by filing the final financial disclosure statement.
C-18-04	A former WSSC employee was alleged to have failed to file a required final financial disclosure statement upon separation from the Commission.	Ch. 1.70.340 (formerly § 5-2)	Complaint dismissed after the respondent cured the alleged violation by filing the final financial disclosure statement.

CY 2018
WSSC BOARD OF ETHICS MATTERS

COMPLAINTS

Matter No.	Matter Summary	WSSC Code of Ethics Section Referenced	Resolution/Status
C-18-05	A former WSSC employee was alleged to have failed to file a required final financial disclosure statement upon separation from the Commission.	Ch. 1.70.340 (formerly § 5-2)	Complaint dismissed after the respondent cured the alleged violation by filing the final financial disclosure statement.
C-18-06	A former WSSC employee was alleged to have failed to file a required final financial disclosure statement upon separation from the Commission.	Ch. 1.70.340 (formerly § 5-2)	Complaint dismissed after the respondent cured the alleged violation by filing the final financial disclosure statement.
C-18-07	A former WSSC employee was alleged to have failed to file a required final financial disclosure statement upon separation from the Commission.	Ch. 1.70.340 (formerly § 5-2)	Complaint dismissed after the respondent cured the alleged violation by filing the final financial disclosure statement.
C-18-08	A former WSSC employee was alleged to have failed to file a required final financial disclosure statement upon separation from the Commission.	Ch. 1.70.340 (formerly § 5-2)	Complaint dismissed after the respondent cured the alleged violation by filing the final financial disclosure statement.

CY 2018
WSSC BOARD OF ETHICS MATTERS

WAIVER REQUESTS

Matter No.	Matter Summary	WSSC Code of Ethics Section Referenced	Resolution/Status
W-18-01	A candidate for employment with WSSC requested a waiver to obtain outside employment to teach certification classes through a company that WSSC employees use to obtain required job certifications.	Ch. 1.70.180 (formerly § 3-2)	Request was dismissed due to lack of jurisdiction over an applicant for employment.
W-18-02	A candidate for employment with WSSC requested a waiver so that the candidate's spouse could maintain an interest in a plumbing business.	Ch. 1.70.180 (formerly § 3-2)	Request was dismissed due to lack of jurisdiction over an applicant for employment.
W-18-03	A WSSC employee requested a waiver of the restriction against participating in a matter involving a spouse's employer.	Ch. 1.70.170 (formerly § 3-1)	Request was denied due to insufficient information provided in the application to evaluate the waiver elements contained in Ch. 1.70.070(A) (formerly § 2-3(a)).
W-18-04	A former WSSC employee requested a waiver of the 12-month post-employment restriction due to his employment with a WSSC vendor.	Ch. 1.70.170 (formerly § 3-1)	The Board issued an Advisory Opinion pursuant to Ch. 1.70.070(D) (formerly § 2-3(d)); see Advisory Opinion # A-18-02 for resolution.

CY 2018 WSSC LOBBYIST ACTIVITY REPORT

	<i>LOBBYIST</i>	<i>COMPANY</i>	<i>DATE OF REGISTRATION</i>	REPORTING PERIOD		Total
				01/01/18 thru 06/30/18	07/01/18 thru 12/31/18	
1	R. Wineholt/N. Whiteman	Apartment & Office Bldg. Assoc. of Metropolitan Wash.	9/27/2012	\$775.00	\$1,200.00	\$1,975.00
2	D. Percy/T. Bennett	Sensus USA	4/13/2018	<u>\$0.00</u>	<u>\$30,000.00</u>	<u>\$30,000.00</u>
Total Compensation and Expenses				\$ 775.00	\$31,200.00	\$31,975.00

Appendix B
CY 2018 WSSC Board of Ethics Annual Report
Submitted on April 15, 2019