

BOARD OF ETHICS
WASHINGTON SUBURBAN SANITARY COMMISSION

WAIVER REQUEST # W-07-01

SUBJECT: CODE OF ETHICS § 3-2 RESTRICTIONS ON OTHER EMPLOYMENT AND FINANCIAL INTERESTS

By request dated December 13, 2007 an employee of the Washington Suburban Sanitary Commission (WSSC) has requested that the Board of Ethics grant a waiver of § 3-2 (b) of the Code of Ethics (Code), which prohibits a WSSC employee from also being employed by a company that has a contract with WSSC.

The requestor has recently been hired as a full time Meter Reader working Monday through Friday from 7:30 a.m. to 4:00 p.m. out of WSSC's Lyttonsville Depot. Prior to being hired full time by WSSC, the requestor worked for the WSSC contractor that provides Security Services for WSSC at its Anacostia and Potomac facilities. The requestor would like to continue to work part time for this company on weekends only as a Security Guard Supervisor.

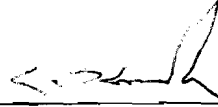
Section 3-2(a) of the Code generally restricts an employee from engaging in outside employment "if the hours of such employment conflict with the employee's normal work shift at WSSC or where the outside employment is of such a nature which does or may create a conflict of interest or the appearance of a conflict of interest." Section 3-2(b)(1) specifically prohibits an employee from also holding employment with a WSSC contractor, unless the Board grants a waiver of that provision.

The standards that the Board must follow for considering a request for waiver are set forth in the Code at §§ 2-3 (a) and (b). Section 2-3(b) pertains specifically to requests for waivers related to secondary employment and allows the Board to grant a waiver if it finds that the "proposed employment is not likely to create an actual conflict of interest."

Having considered the relevant Code provisions, as well as the specific circumstances involved, the Board grants the request for waiver. In granting this waiver, we emphasize that neither the hours or location of the requestor's part-time work will conflict with her full-time employment with WSSC. Furthermore, the Board does not perceive any conflict of interest or "appearance of conflict of interest" between requestor's full time job with WSSC as a Meter Reader and her part-time work with the WSSC contractor that provides security services at WSSC's Anacostia and Potomac facilities. Moreover, considering that the jobs are in different locations and that the duties of the two positions do not overlap, Requestor's proposed part time work is not likely to create a conflict of interest in the future.

The Board emphasizes that the decision to grant the request for waiver is specifically based on the current circumstances of Requestor's part-time employment. Should those circumstances change, Requestor is advised to seek additional guidance from the Board.

On Motion by Steven Hausman, seconded by William Walton, the Board agreed at its meeting held on January 10, 2008 to grant the request for waiver.



Charles H. Kuderna, Chair

January 18, 2008

Date